

NOTICES OF FINAL RULEMAKING

The Administrative Procedure Act requires the publication of the final rules of the state's agencies. Final rules are those which have appeared in the *Register* 1st as proposed rules and have been through the formal rulemaking process including approval by the Governor's Regulatory Review Council. The Secretary of State shall publish the notice along with the Preamble and the full text in the next available issue of the *Arizona Administrative Register* after the final rules have been submitted for filing and publication.

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TITLE 3. AGRICULTURE

CHAPTER 2. DEPARTMENT OF AGRICULTURE - ANIMAL SERVICES DIVISION

PREAMBLE

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| <p>1. <u>Sections Affected</u></p> <p>R3-2-801
R3-2-801
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R3-2-804
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R3-2-809</p> | <p><u>Rulemaking Action</u></p> <p>New Section
Renumber
Repeal
New Section
Renumber
Amend
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Repeal
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Renumber
New Section
Renumber
Amend</p> |
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2. **The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**
Authorizing statute: A.R.S. § 3-605(C).
Implementing statute: A.R.S. §§ 3-601.01(A), 3-606, 3-611, 3-625, 3-663.
3. **The effective date of the rules:**
December 2, 1998.
4. **A list of all previous notices appearing in the Register addressing the final rule:**
Notice of Rulemaking Docket Opening: 3 A.A.R. 1057, April 11, 1997.
Notice of Proposed Rulemaking: 4 A.A.R. 1540, July 6, 1998.
Notice of Public Information: 4 A.A.R. 2631, September 18, 1998.
5. **The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
Name: Shirley Conard, Rules Specialist
Address: Arizona Department of Agriculture
1688 West Adams, Room 124
Phoenix, Arizona 85007
Telephone: (602) 542-0962
Fax: (602) 542-5420
6. **An explanation of the rule, including the agency's reasons for initiating the rule:**
No records can be found regarding the inception of these rules and no one remembers exactly when they were 1st promulgated. However, even with the amendments of 4 rules in the mid-'70s this Article is outdated in the rulemaking requirements of the Office of the Secretary of State.

This rulemaking updates current format and structure guidelines, clarifies existing language, and establishes that all milk and milk products for human consumption must meet the current Grade A Pasteurized Milk Ordinance (PMO) standards for

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production, processing, storing, handling and transportation. Requirements already mentioned in the PMO are eliminated and the remaining information is clarified.

Currently used terms have been consolidated into 1 rule and "plate line" has been defined for clarity. The milk-o-tester is no longer a source for determining the butterfat content of raw milk therefore requirements for this machine are unnecessary and have been removed. The terms "dairy barn" and "milk house" are not used within the Arizona dairy community and have been replaced with the terms "parlor" and "milk room" respectively. Measurements that were previously unclear, such as "minimum distance," or "sufficient space" have been changed through editing for clarity or by establishing specific dimensions.

The weighing of ice cream is regulated by the Department of Weights and Measures and is removed from this Article.

Retail establishments that reconstitute frozen desserts from powdered mixes and soft-serve frozen dessert locations are regulated by county health departments and specific requirements dealing with these areas are removed from the rules.

7. A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material.

None.

8. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable.

9. The summary of the economic, small business, and consumer impact:

A. *Estimated Costs and Benefits to the Arizona Department of Agriculture.*

This rulemaking will have no impact upon the department, other than it will remove obsolete rules from the Title 3, Arizona Administrative Code. The Department anticipates no additional costs associated with this rulemaking.

B. *Estimated Costs and Benefits to Political Subdivisions.*

Political subdivisions of this state are not directly affected by the implementation and enforcement of this proposed rulemaking.

C. *Businesses Directly Affected By the Rulemaking.*

Businesses will not be economically impacted by this rulemaking.

D. *Estimated Costs and Benefits to Private and Public Employment.*

Private and public employment of this state are not directly affected by the implementation and enforcement of this proposed rulemaking.

E. *Estimated Costs and Benefits to Consumers and the Public.*

Consumers and the public are not directly affected by changes of this proposed rulemaking.

F. *Estimated Costs and Benefits to State Revenues.*

This rulemaking will have no impact on state revenues.

10. A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):

At the request of the Office of the Secretary of State, minor editing changes were made consisting of changing spelled-out numbers to Arabic numerals, correcting misspelled words, and adding a comma.

Since publication of this proposed rulemaking, the USDA has indicated that The List of Proprietary Substances and Non-food Compounds, January 1, 1998, which was incorporated by reference in R3-2-807(A)(7)(b), will no longer be published and its use for compound approval in official plants will be discontinued. This incorporation by reference has been deleted from this rulemaking and the phrase "any other sanitizing substance prescribed in Appendix F of the PMO" has been inserted. Appendix F, will provide the additional compounds approved for sanitization.

R3-2-806(E) (4)(b) currently requires that the main ceiling height of a milk room be at least 9 feet above the floor and not less than the height of the farm tank plus 2 feet. When new or extensive alteration is done on a milk room the Department is requiring that an additional foot be added above the tank to provide clearance when the tank lid is lifted -- 3 feet. However, the proposed rule indicated that there needed to be least "6 feet" above the tank. This is not practical and was printed in error.

Minor punctuation, grammatical, and clarification changes were made at the request of G.R.R.C. staff.

11. A summary of the principal comments and the agency response to them:

None.

12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

None.

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½-gallon	2 ¼-pounds
1-quart	18-ounces
1-pint	9-ounces

1. In a single container where the size is larger than one gallon, the minimum weight of the contents shall be the number of gallons or number of gallons and fractions of gallons multiplied by 4 ½ pounds.
2. Containers holding less than one pint, the capacity of which must be designated in fluid ounces, the minimum weight less the carton weight must be at the rate of .56 avoirdupois ounces per fluid ounce.

R3-2-802. Milk and Milk Products Standards

Unless specifically mentioned in A.R.S. Title 3, Chapter 4, Article 1, or in this Article, all milk and milk products, except frozen desserts, sold or distributed for human consumption shall meet the PMO standards for production, processing, storing, handling, and transportation.

R3-2-801, R3-2-803. Milk and milk products labeling Milk Products Labeling

- A. All milk and milk products listed in Chapter 4, Article 1, A.R.S. §§ 3-601(10) and 3-627, and Sections 1, and 2 and 4 of the United States Public Health Service Milk Ordinance and Code PMO shall be designated by the name of the product as used in the definition of the product and must shall conform to its definition. The name of the product must be on all containers or closures, and must be readily legible.
- B. The letter designating the grade of the product and other information necessary to describe the product must appear on all containers or closures and must be readily legible.
- B. All milk and milk products shall conform with the labeling requirements in A.R.S. §§ 3-601.01 and 3-627, Section 4 of the PMO, and 21 CFR 101, 131, and 133, amended November 20, 1996. This CFR material is incorporated by reference, does not include any later amendments or editions of the incorporated matter, and is on file with the Office of the Secretary of State.
- C. The name of the manufacturer or processor shall be on all cartons or closures where it can be easily seen. A manufacturer or processor who has plants in other states may shall use a code number or letter to designate where manufactured or processed. When If a manufacturer or processor has more than one 1 plant within the state of Arizona, the Dairy Supervisor shall issue a code number or letter for each plant shall be issued a different code number or letter. The code number or letter shall be issued in writing by the State Dairy Commissioner and the State Dairy Commissioner and shall keep a record of the numbers or letters issued. When a number or letter is used, the State Dairy Commissioner shall notify the State Department of Health of its issuance. Manufacturers and processors shall include the state code, 04, with their plant number.
- D. When If a plant manufactures or processes milk or milk products and packages them for other concerns for resale retailers and the container or closure is not labeled the same as the manufacturer's or processor's like product, the following information, is in addition to the general required information, must statement "Manufactured or Processed at (name and address of plant or code number or letter)" shall be included on the carton or closure. The carton or closure may also contain the statement.
 1. "Manufactured or Processed at: (name and address of plant or code number or letter)".
 2. "Distributed by: (name of person or firm)".

E. Milk and milk products containers or closures shall not have any written, printed or graphic matter displayed on them which tends to be misleading.

F. A container or closure with the approved label thereon must be filed with the State Dairy Commissioner before such container or closure is used. The approval of said labeling on the container or closure must be in writing and signed by the State Dairy Commissioner or his Chief Deputy.

New or modified label. Any person planning to use a new or modified label on a container may submit the label to the Dairy Supervisor for review.

G. When applying for a new label, the applicant must present duplicate copies of the proposed label, one of which will be kept by the State Dairy Commissioner. If any changes are to be made, they will be noted on the copies and signed by the State Dairy Commissioner or his Chief Deputy. These changes, if any, must be complied with on the containers or closures which are to be submitted to the State Dairy Commissioner as required in subsection (F). The Commissioner shall render a decision within ten days of the date of application.

1. If a new or modified label is submitted, the person shall provide duplicate copies of the proposed label.
2. If the proposed label does not meet labeling standards specified in R3-2-803(B), the Dairy Supervisor shall note the changes on the copies, and sign and return the proposed label to the person.
3. A written request may be submitted for additional time to use the inventory amounts of slow moving cartons or closures before using a modified label.

H. E. When a concern desires to Any person who markets, processes, manufactures or sells a any other food product which might be classed as a milk product, shall submit a written request for permission to process or manufacture or sell the product shall be submitted to the State Dairy Commissioner Supervisor. Upon receipt of the written request, the State Dairy Commissioner must, within ten days, rule that the product is or is not a milk product. Time limit may be extended if the aid of the Attorney General is required in determining the nature of the product. If it is ruled a milk product, the proposed label must be applied for and will be handled as in R3-2-801(F) and (G).

I. All containers or closures in use on the effective date of these regulations must be reviewed for approval in writing. If changes in labeling are necessary, they must be made within six months after these regulations become effective. Inventory amounts of slow moving cartons or closures must be submitted to the State Dairy Commissioner who may grant additional time if requested. Both must be in writing.

J. The State Dairy Commissioner adopts Code No. 02 assigned to the state of Arizona by the National Labeling Committee which was recommended for use by the Ninth National Conference on Interstate Milk Shipments. This National Code Number may be used by Arizona manufacturers or processors in conjunction with their state Code Numbers on containers or closures.

K. When a plant purchases another plant and legally acquires the use of its trade name that has been registered with the State Dairy Commissioner, they must notify the State Dairy Commissioner in writing. The State Dairy Commissioner will then transfer the Registered Trade Name to the new owner. In case the purchasing plant did not legally acquire the Registered Trade Name, it cannot use the containers or closures bearing said Registered Trade Name unless approval in writ-

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ing is granted by the owner of the Trade Name, a copy of which must be filed with the State Dairy Commissioner.

R3-2-803, R3-2-804, Trade products Products

A. Definitions:

1. "Food establishment" means any establishment except a private residence, which prepares or serves food for human consumption, regardless of whether such food is to be consumed on or off the premises.
2. "Fluid trade product" means any trade product as defined in A.R.S. § 3-661(3) which has resemblance to or is in imitation of milk, low fat milk, chocolate milk, half and half, or cream. All fluid trade products containing any milk solids shall be designated for regulatory purposes as fluid milk products.
3. "Retail food store" means any establishment which offers for retail sale packaged or bulk goods for human consumption.

B.A. Manufacture: Any fluid trade product containing milk solids shall be regulated as a fluid milk product.

1. All fluid trade products shall conform to the following chemical, bacteriological and temperature standards:
Temperature: 50° Fahrenheit
Bacteria limits: 30,000 per ml.
Phosphatase: Less than 1 ug per ml.
Coliform: not to exceed 10 per ml.
2. All fluid trade products shall be produced, processed and pasteurized in plants which conform to standards which are equivalent to those required by the 1953 edition of the United States Public Health Service Milk Ordinance and Code, a certified copy of which shall be on file in the office of the Secretary of State.

C.B. Advertising, display, and sale:

1. No trade product shall be advertised, displayed for sale, or sold in a retail food store in any manner or under any circumstances or conditions likely to mislead, deceive or confuse the public into believing such product is a real product.
- 2.1. Any retail food store may submit its methods and techniques for the advertising, display and sale of trade products and real products to the Commissioner Dairy Supervisor for a determination as to determine compliance with this regulation Section.

D. Serving:

- 1.2. No food establishment shall place before sell or provide any patron or employee, for use as food, any trade product or any food whose chief main ingredient is a trade product, unless there 1 of the following disclosures is posted for each trade product, in a prominent place on the premises, or is plainly visible on each menu, upon the same portion of the menu where other food items are described, one of these disclosures:
 - a. "_____ served here instead of _____"
(brand or common name of trade product)
(common name of dairy product)
for each product; or
 - b. "Nondairy products served here".
- 2.3. No food establishment shall advertise or otherwise represent to the public that it serves, or uses in the preparation of a food, a real product when it actually serves or uses a trade product.

E.C. Labeling: Except as follows, all labels shall comply with the PMO and 21 CFR 101, 131, and 133.

1. The Commissioner shall approve or disapprove each statement or claim contained on the label of a trade

product. Each such statement of claim shall be submitted to the Commissioner with such The Dairy Supervisor shall approve a new or modified trade product label before the label is used. The applicant shall file a written request with duplicate copies of the proposed label and any supporting materials as may be necessary to establish its the truthfulness, reasonableness, relevancy, and completeness of the label.

2. The use of the manufacturer's name and symbol on a real product shall not prohibit their use on a trade product, provided that such use on a real product was in effect on or before January 1, 1969, and provided further, that such use does not otherwise violate the restrictions of subsections (A), (B), and (C) or A.R.S. § 3-663.
- 3.2. Unless each ingredient of a grade trade product is homogenized or pasteurized, the whole product shall not be labeled or advertised as a an homogenized or pasteurized product. However, Individual ingredients which that are homogenized or pasteurized may be so identified as homogenized or pasteurized in the listing of ingredients.
4. Unless each ingredient of a trade product is pasteurized, the whole product shall not be labeled or advertised as a pasteurized product. However, ingredients which are pasteurized may be so identified in the listing of ingredients.
- 5.3. Except for combined ingredients constituting less than 1% of the whole product Unless or unless each ingredient of a trade product, except ingredients which combined constitute less than one percent 1% of the whole product, qualifies as grade A, the whole product shall not be labeled or advertised as a grade A product. However, ingredients which are Ingredients that qualify as grade A may be so identified as grade A in the listing of ingredients.
- 6.4. Any Trade trade products which are produced outside the state of Arizona and labeled in accordance with federal law as prescribed in R3-2-802, may be sold within the state of Arizona provided that such the products meets the requirements of A.R.S. §§ 3-663, 3-664 and 3-665, except that:

- a. The listing of ingredients on the label may omit the percentage any ingredient represents of the whole product.
- b. Terms which may be associated with real products, or statements regarding real products, may appear on the label of a trade product when they are used in a manner which discloses:
 - i. That the product is not a real product; or,
 - ii. The purpose or uses of the trade product, except that no term or statement shall be approved pursuant to this provision unless it appears in conjunction with and less prominently than, either a disclaimer required pursuant to A.R.S. § 3-663(F) or other disclosure that the product is not a real product.The use of terms which may be associated with real products, or statements regarding real products, on the label of a trade product must be reasonable, relevant, truthful, complete, and not deceptive or misleading.

F. Display and information panels:

1. Gable type containers — The gable sides, including the gables, will be the principal display panels. The pour

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side of the container shall be the required information panel

2. Square or flat top containers—On the square or flat top containers, the principal display panels shall be the panel directly to the left of the pour spout and the panel directly opposite the panel to the left of the pour spout. Either one of the remaining two vertical panels shall be the required information panel. The product name only shall appear on the top of the container.
3. Glass and plastic containers—On all glass and plastic containers, two opposite sides, including the shoulders, shall constitute the principal display panels. The product name only shall appear on all caps and closures. Either of the sides adjacent to the principal display panel may be used for the required information panel. The above is applicable to all other cylindrical containers.
4. Other type containers—Other types of containers and closures shall be submitted, as prescribed in R3-2-802(D) to the Commissioner for approval of the designation and requirements of the principal display and required information panels.
5. Minimum type sizes by container size. (Other sizes of containers and closures shall be submitted to the Commissioner for approval of minimum type sizes.)
 - a. One-half pint to one pint, inclusive, not less than 1/8 inch in height and width.
 - b. Greater than one 1 pint but not larger than one quart, inclusive, not less than 3/16 inch in height and width.
 - c. Greater than one quart but not larger than two quarts, inclusive, not less than 1/4 inch in height and width.
 - d. Greater than two quarts but not larger than one gallon, not less than 5/16 inch in height and width.
 - e. Greater than one gallon but not larger than 2 1/2 gallons, not less than 1/2 inch in height and width.
6. All printed matter must be of bold face type in a color contrasting with the background so as to be clearly legible.
7. Principal display and required information panels:
 - a. The principal display panel shall contain the following:
 - i. Product name.
 - ii. Quantity statement.
 - b. The product name only shall be on the gable portion of the gable containers.
 - c. In case of a beverage product containing vegetable oil, the statement "Vegetable Oil Added" must appear on the principal display panel in print not smaller than one-half the size of the product name.
 - d. The required information panel must contain the following:
 - i. A complete list of ingredients as provided by law.
 - ii. Name and address including zip code of manufacturer or distributor. In the case of a distributor who is not the manufacturer, the manufacturer or processor must be identified by the statement: "Processed by Plant No. _____" (code number).
 - e. If the product is pasteurized, homogenized or grade A, it may be so stated on the required information panel.

R3-2-805. Butterfat testing

- A. Milko Tester. Licensed testers using the Milko Tester, an electronic transistorized apparatus utilizing light transmission for determining the butterfat content of raw milk on which payment is based shall follow explicitly the current instructions for calibration, operation, maintenance, and cleaning of the equipment issued by the manufacturer, unless otherwise instructed in writing by an authorized representative of the State Dairy Commissioner. In no case shall the method of calibration deviate from the current instructions of the Association of Official Analytical Chemists.
- B. The following shall govern the operation of the Milko Tester:
 1. The latest edition of the manufacturer's operation manual shall be available at all times in conjunction with the instrument.
 2. The minimum sample for use by the Milko Tester for fat determinations shall be five ounces for both fresh and preserved samples.
 3. Where the Milko Tester is used, supplemental Babcock or Mojonnier equipment must be provided. The tester utilizing the Milko Tester must be licensed for both the Milko Tester and the Babcock or Mojonnier methods of analyses.
 4. The Milko Tester must be equipped with a constant voltage transformer.
 5. It is the responsibility of the licensed tester to determine that the Milko Tester is operating correctly. If at any time he believes the results obtained are biased, all further testing must be done by the Babcock or Mojonnier method until the bias has been eliminated.
 6. Samples used for calibration shall be prepared in the same manner as samples upon which the producer payments are to be based. They shall be retained for the same time and under the same conditions as for official samples used for basis of payment. Samples used for calibration shall include samples in the butterfat ranges of 3-4 percent and 6-7 percent.
 7. When any sample differs in butterfat content by greater than 2.0 percentage points from the sample preceding it through the instrument, there shall be an immediate retest and the second test shall be the one recorded. On all retesting of samples, the retest shall be the test used.
 8. All calibration results and check tests for initial calibration and all tests for checking the accuracy of calibration shall be recorded in a permanent record book.
 9. "Official test" means milk sampled and tested for its butterfat content by means of the Babcock test or any equally accurate and efficient test approved by the State Dairy Commissioner.
 10. Any instrument shall read to the second decimal place and shall report findings to the second decimal place.
 11. During the use of the Milko Tester each day, a sample of milk of known percentage of fat shall be tested with the Milko Tester after every 30 tests and the results shall be recorded on the permanent test record. If at any time there is variation from the original test exceeding 0.04, the Milko Tester must be rinsed thoroughly with versene solution and the machine checked for zero setting in order to get agreement on the test of the standard. At least three standard checks must then be run and if the average variation is in excess of 0.06, the Milko Tester must be recalibrated. If after the three standard checks are run and the instrument is recalibrated, then all samples run after the last check sample

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must be retested. The results of the rechecks will become official.

12. Potassium dichromate, not more than one percent by weight of sample of market milk, must be used if a preservative is added to the milk sample.

R3-2-804, R3-2-805. Grade "A" raw milk Raw Milk For Consumption

A. Definitions:

1. "Grade "A" raw milk" is raw milk produced upon dairy farms conforming to all items set forth in the Federal Milk Ordinance for the production of Grade "A" raw milk for pasteurization and the additional requirements contained in these requirements. The bacterial plate count or direct microscopic clump count of the milk shall not exceed 20,000 per milliliter (and not more than 10 coliform per milliliter) as determined by Section 6 of the Federal Milk Ordinance.
2. "Federal Milk Ordinance" means the 1965 Recommendations of the United States Public Health Service Grade A Pasteurized Milk Ordinance, 1967 Edition.
3. "Health Authority" means the State Dairy Commissioner or his authorized representative.

B. License and permit—No person shall engage in the business of Producer-Distributor of Grade "A" raw milk without a permit from the Health Authority and a license from the State Dairy Commissioner, as provided by law.

C.A. Animal health—All herds and additions thereto cattle from which Grade "A" raw milk is produced shall be tested and found free of tuberculosis before any milk therefrom is sold, and all All herds shall be retested tested for tuberculosis at least every 12 months thereafter. All herds and additions thereto cattle from which Grade "A" raw milk is produced shall be tested and found free of brucellosis before any milk therefrom is sold, and all herds shall be retested tested every 12 months thereafter and/or have negative ring tests for brucellosis, or both, as determined by the Animal Disease section of the state Livestock Sanitary Board State Veterinarian.

D. Milk house—The milk house shall be provided with two separate rooms—one for the cleaning and sanitizing of equipment and utensils and one for handling of milk and storage of cleaned utensils.

E.B. Cooking of milk—Grade "A" raw milk shall be cooled immediately after completion of milking to 50° 45° F. or less and shall be maintained at that temperature until delivery, as determined by Section 6 of the Federal Milk Ordinance.

F.C. Bottling and capping—Grade "A" raw milk shall be bottled on the farm where it is produced. Bottling and capping shall be done in a sanitary manner by means of an approved equipment and these operations shall be integral in one machine. Hand-capping is prohibited. Caps and cap stock shall be purchased kept in sanitary containers and shall be kept therein until used.

G.D. Vehicles—All vehicles used for the distribution of Grade "A" raw milk shall have prominently display the distributor's name prominently displayed thereon.

H.E. Labeling—Grade "A" raw milk shall be labeled in accordance with all applicable Dairy Commissioner's laws and regulations as prescribed in R3-2-803.

R3-2-806. Dairy barns Parlors and Milk Rooms

A. Definitions:

1. "Commissioner" means the State Dairy Commissioner or his authorized representative.

2. "Milk barn", "stable" or "parlor" and "milk house" or "milk room" means the facilities used for the production of Grade A raw milk for Pasteurization.

B.A. Construction Plans:

1. Plans and specifications for all milk houses, milking barns, stables and parlors which are hereafter constructed, re-constructed or extensively altered, shall be submitted to the Dairy Commissioner for written approval before work is begun. Any person constructing or extensively altering a parlor or milk room shall submit the plans and specifications to the Dairy Supervisor for written approval before work begins. The Dairy Supervisor shall approve or deny the plans within 10 business days.
2. Plans shall consist of a scaled plot plan design with elevations and all pertinent dimensions.
3. All Any deviations from the minimum requirements in this Section and from approved plans and specifications may be made only after written approval of the Dairy Commissioner Supervisor.

C.B. Site:

1. The milking barn and milk house parlor and milk room shall be located in a place free from contaminated surroundings.
2. Feed racks, calf pens, bull pens, hog pens, poultry pens, horse stables, horse corrals, and shelter sheds shall not be located closer than 100 feet from to the milk house room or closer than 50 feet from to the milking barn parlor.

D.C. Surroundings:

1. Dirt or unpaved corrals or and unpaved lanes shall not be located closer than 25 feet from to the milking barn parlor or closer than 50 feet from to the milk house room; corrals shall be constructed to drained with adequate disposal facilities to remove runoff from the lowest point of the grade. A minimum of three percent 3% slope shall be obtained maintained in unpaved corrals where the available space for each animal is 400 square feet or less but may be reduced proportionately to 1½% percent with slope if 800 square feet or more is provided for each animal.
2. A paved (concrete or equivalent) ramp or corral shall be provided to allow the animals to enter and leave the milking barn parlor. This paved area shall be curbed (minimum of six at least 6 inches high and six 6 inches wide) and sloped to a paved drain area. The perimeter of the area shall be constructed in a manner that will retain the wash water to a paved drain area. Paved The paved area shall provide access to permanent feed racks or mangers and to water troughs. water Water troughs shall be provided with an apron of concrete or equivalent at least ten 10 feet wide at the drinking area. The cow standing platform at permanent feed racks shall be paved with concrete or equivalent for at least ten 10 feet back of the stanchion line. The stanchion line shall have a curb at least one 1 foot in height.

E.D. Elevations—Floor level elevations of all structures shall be at least 15 inches above surrounding ground level and shall facilitate carrying carry drainage 50 feet from the milking barn parlor and at least 100 feet from the milk house room. In lieu Instead of natural drainage, automatic pumps or other satisfactory means shall be provided for drainage disposal of drainage.

F.E. Milk house room:

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1. The milk house room shall not be more than 15 feet from the milk house room and may be located under the same roof (extended) as the milk house room. The milk house room shall consist of one 1 or more rooms for the handling of the milk and the cleaning, sanitization, and storage of the milk-handling equipment. Hot and cold running water outlets shall be available in each room. There shall be a minimum of 5 feet minimum distance between a farm milk tank at the widest point and the milk house room wall where the wash vats are installed shall be at least five feet. The Except for currently installed milk tanks, there shall be at least 3 feet minimum distance between any farm tank or farm tank appurtenance and the milk house room walls shall be two feet.
 2. Passageway.—When The passageway is constructed between the milk house room and milk house room it shall provide not less than a three have at least a 3-foot clearance for ingress and egress and have ceiling or roof ventilation. Equipment such as milk receivers, dump tanks, or coolers which that are part of an enclosed milk line system may be installed in the passageway if:
 - a. A three 3-foot clearance is allowed for the walkway;
 - b. Sufficient space Space is provided between walls and equipment to permit disassemble the disassembly of equipment for cleaning or inspection of equipment, walls, floors;
 - c. Passageway walls shall be finished in a manner similar to the milk room. The passageway between the parlor and the milk room may be structurally closed at 1 end. The barn parlor may be separated from the passageway by a pipe rail fence if the slope of the barn parlor floor is away from the passageway. If the slope of the barn parlor floor is toward the passageway, a concrete wall between the passageway and parlor floor of at least 12 inches in height shall be provided.
 - d. Rustless pipe sleeves with tight-fitting flanges and protective closures shall be installed where the milk lines, hoses for tankers, and wash lines go through the walls or stationary doors of the passageway.
 3. Floors. —
 - a. The floors of the milk house room, and passageway, if provided, shall be constructed of 4-inch thick concrete at least four inches thick, or other equally impervious material approved by the Commissioner, troweled smooth with a true slope. The milk house room floor shall slope at least 1/4 inch to the foot per 12 inches to a vented trapped drain. The passageway floor shall slope at least one 1 inch in ten per 10 feet toward a drain or gutter. A two-inch minimum radius cove is required at all floor and wall junctions. The cove shall be an integral part of the floor. All floor and wall junctions shall have at least a 2-inch radius cove. A sand or rock cushion of at least six inches shall be placed under concrete floors on soils other than sandy loams. Concrete floors built on soils other than sandy loams shall have a sand or rock cushion at least 6 inches deep.
 - b. Drainage from the milk room may be independent from or connected to the parlor drainage. Floor drains shall be vented, have a water trap, and a
- clean-out plug. All floor drains and pipes under the milk room and parlor floor shall have leak-proof connections and meet all applicable plumbing codes.
4. Walls and ceilings:
 - a. The milk house, partitions and ceilings shall be constructed of smooth pressed lumber, concrete, masonry or water proof cement plaster and shall have a smooth finish. Other types of materials may be used if they are approved in writing by the Commissioner. All walls and partitions shall be of concrete or masonry to a height of not less than eight inches above the floor. All walls and ceilings shall be constructed of a light colored, impervious material with a smooth finish. Where If concrete block or masonry construction is used, all voids below the floor line shall be filled with concrete.
 - b. Main The main ceiling height shall be at least nine 9 feet above the floor but in no case and not less than the height of the farm tank plus two 2 feet. New or extensively altered ceiling shall be at least 3 feet above the tank. Ceiling The ceiling may follow the rafters to the plate line which shall not be less than seven at least 7 feet three 3 inches above the floor.
 5. Doors and windows:
 - a. Each room of the milk house room shall have at least one 1 glass or other light-transmitting material. The total window area in each room shall be equivalent to at least 1/10 of the floor area. Window screens shall be standard 16-inch mesh and are required on all windows that open. Only stationary type windows may be installed on the barn side of the milk house. All opening windows shall have at least 16-inch mesh screen.
 - b. Exterior doors of the milk house room shall open outward, be solid, self-closing, and tight fitting. Any door from the passageway shall be a solid door, metal covered on both sides of the bottom half. Wooden door jambs or frames shall terminate six 6 inches above the floor, and the concrete floor cove shall extend to the jambs or frames.
 - c. Artificial light shall be installed in each room to provide at least a minimum of 20 footcandles of light on all working areas in the milk house operations. All working areas in the milk room shall contain at least 30 footcandles of lighting.
 6. Ventilation. — At least two 2 wall ventilators shall be installed horizontally not more than ten 10 inches or nor less than four 4 inches above the floor in each milk room. The wall ventilators shall provide openings equivalent to two percent on 2% of the floor areas. Wall-vent openings shall be equipped with metal framed insect screens installed in a wall-vent opening. Removable shutters are optional. Ceiling vents are required in the The milk house room shall contain ceiling vents. In the absence of forced draft ventilation, the ceiling vents shall be shafted to a roof peak vent which that shall be is at least 12 inches in diameter and of a height to properly ventilate the room and shall exclude dust, rain, birds, insects, and trash. Ceiling vents shall provide high ventilation equivalent to an opening of two percent 2% or more of the floor area. Ceiling vents shall not be installed directly above bulk milk storage tanks. Oil or

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gas water heaters shall be vented outside above the roof edge.

7. Drainage—Drainage from the milk house may be connected with the barn drainage or it may be independent. Floor drains shall be vented, have a water trap, and a clean-out plug. All floor drains and pipes under milk house and barn floors shall have leak-proof connections and meet all applicable plumbing codes.
8. Painting—All inside walls and ceilings including woodwork shall be painted with a light-colored waterproof paint or material acceptable to the Commissioner.
- 9-7. Tanker loading area.—A minimum of A tanker-loading area, at least 10 feet by 12 feet, paved, curbed, and sloped to drain, tanker-loading area shall be provided adjacent to the milk house room where milk is transferred from a farm tank to a milk tanker. If a tanker is used in lieu instead of a farm tank, a suitable tanker shelter must shall be provided and comply that complies with the construction, light, drainage, and general maintenance requirements of the milk room with respect to construction, light, drainage, and general maintenance.
- 10-8. Farm tank installations.—All farm tanks for the cooling and storing of milk shall be installed in the milk room. Bulk milk tanks equipped with approved agitator shaft opening seals may, under certain conditions if approved by the Dairy Supervisor, be bulk-headed through a wall if approved by the Commissioner.

G.F. Milking barn Parlor:

1. All dairies producing Grade A raw milk for Pasteurization shall provide a milking barn which is sound, readily cleanable and of sanitary construction. The building shall afford the proper working space and be constructed to admit sufficient light and ventilation.
- 2-1. Slope and finishes: Floors.
 - a. The floors, curbs and quarters shall be constructed of 4-inch thick concrete or other, light-colored, impervious material, acceptable to the Commissioner finished smooth. The floors and gutters, if of concrete or concrete base, shall be at least 4 inches thick. The floors, alleys, gutters, mangers, and curbs shall slope lengthwise at least 1 ½ inches in per 10 feet toward a drain or gutter. The cow standing platform in the elevated stall type barn parlor shall slope at least 1 ½ inches toward the wall floor gutter.
 - b. A two-inch minimum radius cove is required at all floor Floor and wall junctions shall have at least a 2-inch radius cove and shall be an integral part of the floor.
 - c. The manger, if concrete, and curbs when present, shall be finished smooth with a steel trowel. The cow standing platform litter alley, feed alley, and gutter shall be given a true, even surface with a wood float. The cow standing platform, litter alley, holding corral and concrete lane shall be treated to prevent slipping, and may be finished either with a suitable instrument, drawn in the direction of both slopes, or treatment of the surface with emery aggregate carbobundum grit or equivalent material. A sand or rock cushion of at least six inches shall be placed under the floor on soils other than sandy loam. Concrete floors built on soils other than sandy loams shall have a sand or rock cushion at least 6 inches deep.

- 3-2. Walls.—All walls shall be constructed of an a light-colored, impervious material and that shall be not less than four extend at least 4 feet in height above the ground floor. All walls shall be finished smooth on the inside with the top ledge rounded on open walls. When If a barn parlor wall forms a part of the holding corral or an entrance or exit lane, it shall be finished smooth on the outside. Where If a concrete block or masonry construction is used, all voids below the floor line shall be filled with concrete. In elevated stall type barns parlors, the wall under the cow standing platform adjacent to the milker's milking area shall be finished smooth and designed to prevent drippage.
- 4-3. Plate line.—The plate line in the floor level milking barn parlor shall not be less than seven at least 7 feet three 3 inches above the floor. In elevated stall-type barns parlors, the plate line shall be not less than six at least 6 feet-six 6 inches above the cow standing platform.
- 5-4. Superstructure.—The exposed superstructure of the barn parlor or ceiling shall be constructed of smooth material. Exposed superstructures shall be such that the The roof sheathing is in an exposed superstructure shall be applied directly to the rafters.
- 6-5. Stalls.—The cow standing platform and floor level barns parlors shall not be less than three at least 3 feet wide for each cow and shall be at least four 4 feet ten 10 inches and not over six more than 6 feet from the stanchion line to the gutter, depending on the size of the cattle and the design of the manger. Where If stanchions are not used, the cow standing platform shall be at least seven 7 feet in length. The cow stall in the a tandem type elevated stall shall be eight 8 feet in length. The A tandem stall and a herringbone stalls shall have a smooth, flat, non-absorbent splash panel behind each cow.
- 7-6. Light and airspace.—The milking barn parlor shall have at least 400 cubic feet of air space for each stall. Window space, with or without glass, shall be equivalent to at least six percent 6% of the floor area. Light-transmitting material in the roof may be substituted for window spaces. Artificial light shall not be less than ten at least 30 footcandles at the floor level and so located as to minimize shadows in the milking area.
- 8-7. Alleys:
 - a. The litter alley, exclusive of gutter, shall not be less than four at least 4 feet nine 2 inches wide behind a single string of cows. In two a 2-string head-out barns parlor, the litter alley shall be at least eight 8 feet wide between gutters.
 - b. In a floor level barns parlor, the feed alley in single and two 2-single head-out types, shall be at least five 5 feet nine 2 inches wide between stanchion line and wall. In two 2-string head-in barns parlors, a minimum of ten there shall be at least 10 feet between stanchions is required.
 - c. The milking alley in the two 2-string tandem type elevated stall barn parlor shall be at least eight 8 feet wide but may be reduced to five 5 feet at the narrowest point when if automatic feeders are installed and used. The width of the milker's milking alley in the two 2-string herringbone type barn parlor may be reduced to five 5 feet at the narrowest point.

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- d. In the single-string elevated type barns parlor, the milker's milking alley shall be at least eight 8 feet wide.

9-8. Gutters:

- a. All barns parlors shall have gutters so designed and located to catch the defecation of cows while in the stall and washings of the barn for any water used for rinsing.
- b. Gutters in the floor level type barn parlor may be either the trench or step-off type. The gutter shall be at least 14 inches wide and 2 inches deep at the cow standing platform. The gutter floor shall slope down away from the cow standing platform 1/2 inch across its width. The gutter shall have a uniform depth for its entire length.
- c. The gutters in the an elevated stall type barn parlor shall be grate-covered in the stall and trenched types along the outside wall. The stall gutter shall be located to catch defecation of the cows in the stall. ~~It~~ The stall gutter shall be at least 500 square inches in area and at least 20 inches wide and 4 inches deep. The ~~A~~ herringbone type barns parlor may have the stall gutter width reduced to 14 inches provided the a 500 square inch area per containing the animal is maintained. The wall gutter shall be at least 8 inches wide and 3 inches deep and the bottom may be rounded. Trench gutters ~~A~~ trench gutter may be eliminated in an exit alleys if the alleys are is curbed and sloped to drain.
- d. Pipe used for barn parlor gutter drainage shall not be less than at least 4 inches in diameter and meet local applicable plumbing codes.

10-9. Curbs:

- a. In elevated stall type barns parlors, the cow standing platform shall be curbed on the side next to the milker's milking alley and the curb shall be at least 6 inches in height with the top rounded and designed to retain the elevated stall floor washings. This curb may be lowered to not less than 2 inches at the area where the milking machines are applied. Metal curbs shall be free of voids and sealed to stall and floor or wall.
- b. In floor level barns, Floor level parlors shall contain a curb under the stanchion line at least 6 inches wide, 12 inches high from the stall floor—is required, except where if metal mangers are used; the top of this curb shall be rounded.

11-10. Stanchions:

- a. Stanchion The stanchion shall be of metal or other waterproof impervious, easily cleanable material approved by the Commissioner. The lower horizontal line of the stanchion shall be at least 2 inches above the curb and at least 14 inches above the floor when if no curb is provided.
- b. In floor level type barns parlors, the manger shall have:
- i. a minimum A width of at least 27 inches with a back wall at least 12 inches above the floor;
 - ii. eorners rounded Rounded corners;
 - iii. the The low point of the manger at least 8 inches out from the stanchion line and 3 inches above the floor; and
 - iv. with a true A lengthwise slope of a minimum of at least 1 1/2 inches in per 10 feet toward a drain or gutter.

- c. Mangers and feed boxes in all types of barns parlors shall be constructed of impervious materials, finished smooth, and provided with drainage outlets at low points.

12-11. Ventilators: Ventilation.

- a. Adequate ventilation Ventilation shall be provided in the milking barn parlor, and holding corral, and wash area, if roofed.
- b. Continuous open (18-inch) ridge vents that rise at least 6 inches above the roof area are acceptable permitted. Any ridge vent continuing over the feed room shall be tightly screened fly tight.
- c. Stack type vents are acceptable. Where this type of If a stack vent is used, provision shall be made for a 12-inch diameter opening on single string barns parlors shall have a 12-inch diameter opening, or a 14-inch diameter opening for and multi-string barns parlors shall have a 14-inch diameter opening with not more than 10 feet between vent and wall, and vent and vent.
- d. When a A flat ceiling is installed, it shall have at least two 2 vents, 2 feet by 2 feet or equivalent, shafted to a roof peak vent which has with not less than a 12-inch opening. The ceiling vents may be located directly in line over the cow standing platform or the milker's milking pit. The vents shall be located not more than 10 feet between vent and wall, and vent and vent.

12-13. Barn doors—The lower half of barn the parlor doors shall be covered on both sides with suitable corrosion-resistant metal.

H. Painting—All walls, ceilings and woodwork of barns and milk rooms shall be painted with light colored waterproof paint or materials acceptable to the Commissioner.

I-G. Roof drainage—Roof drainage from barns parlors, milk houses rooms, or shelters shall not drain into a corrals unless the corrals are is paved and properly drained.

J-H. Feed storage facilities—When If animals are fed in the milking barn parlor, adequate feed storage facilities shall be provided. Feed storage rooms, when installed, shall be partitioned from the milking barn parlor and shall be fly and rodent proof. The feed discharge area of the bulk feed storage shall be concrete or equivalent, other impervious material that is curbed and drained. Bulk feed may discharge directly into the barn parlor. When a A bulk feed tank is located opposite the passageway, it shall be no closer than at least 6 feet from the milk house room. Overhead feed storage is permissible if it is fly, rodent, and dust tight. Feed shall be conveyed to the manger or feed box in a tightly closed dust-free system. Suitable overhead Overhead metal feed tanks may be used.

K-L. Supply storage—Facilities to store dairy supplies shall be provided. Only supplies that come in contact with the milk or milk contact surface of the milk-handling equipment may be stored in the milk room and shall be protected from toxic materials, vectors, and dust, etc., at all times.

R3-2-807. Frozen desserts Dessert Plant and Processing Standards

A. Definitions. For the purpose of this part, the following terms shall have the following meanings, unless the context clearly indicates otherwise:

1. "Commissioner" means the State Dairy Commissioner or his authorized representative.
2. "Person" means any individual, partnership, firm, corporation or association.

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3. "Plant" means any place, premises or establishment or any part thereof, including specific applicable areas in retail stores, stands, hotels, restaurants and other establishments where frozen desserts are manufactured, processed, assembled, stored, frozen or converted in form for distribution and/or for sale and shall include rooms or space where utensils or equipment are stored, washed or sanitized and where ingredients for use in manufacturing frozen desserts are stored. The term "plant" shall be deemed to include the following:
- a. "Manufacturing plant" means a plant as defined in this Section in which frozen desserts are manufactured, processed, pasteurized and converted.
 - b. "Handling plant" means a plant as defined in this Section which is not equipped or used for the manufacturing, processing, pasteurizing or converting of frozen desserts, but where frozen desserts are sold or offered for sale other than at retail.
 - c. "Mobile unit" means any vehicle on which frozen desserts are manufactured, prepared, processed, or converted and which is used in selling and dispensing frozen desserts. It shall include temporary buildings which may be moved from place to place.
4. "Mobile unit depot" means a building from which mobile units operate; where such mobile units, equipment and facilities thereof are cleaned and sanitized and where frozen desserts for sale from such mobile units may be handled and stored.
5. "Licensee" means any person subject to license.
6. "CIP" means a procedure by which equipment, pipelines and other facilities are cleaned in place in accordance with 3-A Accepted Practices for Permanently Installed Sanitary Product Pipelines and Cleaning Systems.
7. "3-A Standards" are the standards for dairy equipment and accepted practices formulated by the 3-A Sanitary Standards Committee representing the International Association of Milk, Food and Environmental Sanitarians, the U.S. Public Health Service and the Dairy Industry Committee as published by the International Association of Milk, Food and Environmental Sanitarians, Box 701, Ames, Iowa, 50010.
8. "National Sanitation Foundation" means the National Sanitation Foundation, School of Public Health, University of Michigan, Ann Arbor, Michigan, 48106.
9. "Frozen desserts" means ice cream, frozen custard, French ice cream, ice milk, quiescently frozen confection, quiescently frozen dairy confection, French custard ice cream, artificially sweetened ice cream, manufactured desserts mix, whipped cream confection, bisque tortoni, sherbets, water ice and mellorine frozen desserts and all such other products, together with any mix used in making such frozen desserts, and any other products which are similar in appearance, odor or taste to such products or are prepared or frozen as frozen desserts are customarily prepared and frozen, whether made with dairy products or non-dairy products.
10. "Converting" or "converted" or "conversion" shall be deemed to mean the process by which a frozen dessert is changed from a frozen to semi-frozen form without any change in the ingredients thereof.
11. "Frozen desserts mix" or "mix" shall mean any frozen dessert before being frozen.
12. "Dispensing freezer" means the type of equipment which freezes or partially freezes frozen desserts so they are served in a soft condition for sale to the customer.
- B. Records. Each licensee shall keep complete and accurate records for each plant operated by him, which shall include the following:
1. Record of receipts and disposition of ingredients:
 - a. Daily record of receipts and disposition of each ingredient other than flavors, cocoa, chocolate, fruits, nuts, malted milk, confectionery, stabilizers, microcrystalline cellulose and sweetening agents.
 - b. For each product containing fat, other than flavoring agents, emulsifiers, stabilizers and confections, the name of the fat and the percent of fat contained therein.
 - c. Monthly inventory of each ingredient for which a record is required pursuant to paragraph (1) of this subsection.
 - d. Name and address of person or company from which ingredients referred to in paragraph (1) were obtained.
 2. Daily record of products manufactured:
 - a. Volume of each frozen dessert manufactured.
 - b. Fat content, if any, of each such frozen dessert manufactured.
 3. Daily record of manufactured products received:
 - a. Volume of each product received, indicating in the case of frozen desserts, the variety, flavor, fat content, etc.
 - b. Name and address of person or persons from whom such manufactured products were received.
 4. Records of bacteriological examination of water supplies, other than those under the supervision of some regulatory agency having jurisdiction over such supplies, used for washing equipment or for use as an ingredient in frozen desserts.
 5. Records of bacteriological tests with respect to quality standards as prescribed.
 6. Recording temperatures, correctly marked as to the date, the product pasteurized, and the name of the responsible person in charge of the pasteurization operation. Facilities shall be provided for checking weekly the accuracy of the recording thermometer and the date and name of the person who checked the thermometer shall be recorded on the chart for that day.
 7. Depot operators shall keep a daily record of the hour during which each mobile unit serviced by him was cleaned and sanitized.
 8. All such records shall be legibly written in the English language, shall be retained at the plant, distribution depot, or at the local office of the person operating such establishment for a period of at least six months, and shall be available at all reasonable hours for examination.
- C. A. Manufacturing and handling plants and premises Plant and Processing Standards.
1. Premises. The plant area shall be kept clean, orderly and free from refuse, rubbish, excessive smoke, dust, air pollution and strong or foul odors originating on the premises. A drainage system shall be provided for the rapid drainage of all water away from the buildings. If there are unsatisfactory conditions occur in the plant area, with respect to smoke, dust, air pollution, or odors, adequate provision shall be made to protect all the fro-

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2. ~~Sewage and waste disposal.~~ Sewage and industrial wastes shall be disposed of in accordance with the provisions of the state ~~Public Health Law or county environmental laws.~~ Refuse, unless in suitable appropriate containers, shall not be ~~accumulated~~ accumulate on the premises.
3. Roads, driveways, yards, and parking areas adjacent to the plant shall be paved or otherwise treated to prevent dust. ~~They and~~ shall be smooth and well drained to prevent accumulation of stagnant liquid.
4. Buildings.
 - a. ~~Construction and maintenance.~~ Buildings shall be ~~of sound construction.~~ The building exterior and interior shall be kept clean and in good repair. ~~They shall be constructed and maintained in such a manner as to give protection against dust, dirt and mold and to prevent the entrance or harboring of insects, vermin, rodents, and other animals.~~
 - b. ~~Doors, windows and openings.~~ In processing and packaging areas, outside doors, windows, skylights, transoms, or other openings shall be properly protected and operated in such a way as to preclude the entrance of dust, insects, vermin, rodents, and other animals. Outside doors shall be self-closing wherever practicable practical. Window sills on new construction shall be ~~sloping~~ slope inward at not less than a at least 45-degrees angle. Outside conveyor openings and other special type outside openings shall be protected by doors, screens, flaps, fans, or tunnels. Outside openings for pipeline shall be covered when not in use and service. ~~pipe openings~~ Pipes shall be completely cemented around the pipe opening or have tight metal covers sealed where they extend through exterior walls. Outside pipe openings shall be covered when not in use.
 - c. ~~Care of buildings and plants.~~ Plants where frozen desserts are manufactured, processed, packaged, handled or stored shall be kept clean, well ventilated and free from strong, foul or offensive odors, free from dust, excessive condensate, flies, insects, rodents and other possible sources of contamination.
 - d. Rooms. All rooms, compartments, coolers, freezers, and dry storage space in which any raw material, packaging or ingredient supplies, or finished products are handled, processed, manufactured, packaged, or stored shall be so designed and constructed as to assure ensure clean and orderly operations.
 - i. ~~Boiler and tool rooms.~~ Boiler and tool rooms shall be ~~entirely~~ separate from rooms where milk products are received, or where processing and packaging is done, or where equipment, facilities, and containers are washed and stored.
 - ii. ~~Toilet facilities.~~ Toilets and dressing rooms shall be conveniently located and toilets shall not open directly into any room in which where milk products, ingredients, or frozen desserts are handled, processed, packaged, or stored. Toilet and dressing room doors shall be self-closing, ~~they~~ Toilets and dressing rooms shall be well vented to the outer air, ~~there and shall be contain~~ hand-washing facilities, hot and cold running water, soap, single-service towels or air dryers, and hand Hand-washing signs shall be posted. Fixtures shall be kept clean and in good repair. Privies and chemical toilets are not permitted.
- iii. ~~Receiving rooms.~~ Rooms for receiving milk and other raw ingredients and materials shall be separated from the processing area by a suitable partition of suitable arrangement of equipment and facilities to avoid contamination of frozen desserts in the processing operations, except that ~~such~~ products in cans or other closed containers may be received and transferred to a cooler or other suitable storage without being received in a separate room.
- iv. ~~Tank truck facilities.~~ If tank truck deliveries of milk, milk products, or frozen desserts mix are made, other than occasional receipts delivers, a tank truck room of sufficient size large enough to accommodate the entire truck shall be provided with suitable equipment and facilities for cleaning. When truck tankers with filter dome vents are used, a A covered outside unloading pad may be used for truck tankers with filter dome vents, provided that there is adequate provision for if washing and sanitizing facilities are provided. Facilities for washing and sanitizing tank trucks where there is not If a tank truck room is not located on the premises of an existing plant, adequate facilities for such operations washing and sanitizing tank trucks shall be provided at some other another location where it can be done with protection the washing and sanitizing facility is free from dust and extreme weather conditions.
- v. ~~Processing and packaging rooms.~~ Except as otherwise provided herein, rooms for processing and packaging shall be of adequate size. ~~There~~ Except for existing processing and packaging rooms, there shall be at least 2 3 feet clearance between installations and from the wall to prevent overcrowding and to facilitate cleaning. Existing facilities ~~which do not meet meeting this requirements of this subdivision will be deemed to be satisfactory if adequate~~ shall be permitted if cleaning can be accomplished and permission is obtained from the Dairy Supervisor or the Dairy Supervisor's designee. ~~In any event, all~~ All processing and packaging rooms ~~must~~ shall be equipped with adequate hand-washing facilities including hot and cold running water, soap, and single-service towels, or air dryer.
- vi. Refrigeration rooms and units shall be constructed of impervious material and shall be kept clean and sanitary.
- vi.vii. ~~Wholesale manufacturing plant.~~ In a wholesale manufacturing plant, separate Separate rooms shall be provided so that the manufacturing, processing, and packaging ~~may be kept~~ are separate from the cleaning and sterilizing of utensils and containers.
- vii.viii. No person shall reside or sleep in a frozen desserts plant or in any room directly con-

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- nected with it. No animals shall be kept or allowed permitted in a frozen desserts plant.
- e-d. Walls and ceilings. Walls and ceilings of plants shall be constructed of smooth, tight, washable, hard-surfaced, impervious material. They shall be light-colored, and shall be kept clean and sanitary, and shall be refinished when discolored. A darker color wainscoting of suitable material of darker color may be used to a height not exceeding 60 inches from the floor.
- f-e. Floors. Floors in plants shall be of suitable an impervious, smooth-surfaced material ~~which that can may~~ be flushed clean with water. ~~With the exception of~~ Except for hardening rooms, they floors shall slope 3/16 to 1/4 inch per foot to one 1 or more properly trapped outlets. ~~In No open channel drainage is permitted in new construction or in major alterations~~ extensive remodeling of existing plants, no open channel drainage shall be permitted. Floors of drains are not required in freezers used for storing frozen desserts or frozen ingredients, need not be provided with floor drains, but ~~However,~~ the floors shall be sloped to drain to one or more exits at least 1 exit and shall be kept clean. ~~In Floors in~~ new construction or extensive remodeling, the floors shall be joined and coved with the walls to form water-tight joints. ~~Sound, smooth~~ Smooth wood floors may only be permitted only in rooms where there will be no spillage of product or ingredients, such as rooms where wrapped or packaged frozen products are packed in multiple-pack containers. Toilets and dressing rooms shall have impervious floors and smooth walls.
- g-f. Plumbing. All plumbing ~~Plumbing~~ shall be installed as to prevent back-up of sewage or odors into the plant.
- h-g. Ventilation. All rooms and compartments, including storage space for materials, ingredients, and packages, and including toilets and dressing rooms, shall be ventilated to maintain sanitary conditions, ~~and to prevent undue condensation and to minimize or eliminate objectionable condensation and odors.~~
- i-h. Lighting. Lighting, whether natural or artificial, shall be of good quality and well distributed in all rooms and compartments. Light bulbs and fluorescent tubes shall be protected so that broken glass cannot fall into any product or equipment.
- i. Rooms where frozen desserts are handled, processed, manufactured, or packaged, or where equipment or utensils are washed, shall have at least 30 footcandles of light intensity on all working surfaces;
 - ii. ~~areas~~ Areas where dairy products are examined for condition and quality, shall have at least 50 footcandles of light intensity; and
 - iii. ~~all~~ All other rooms, shall have at least five 20 footcandles of light intensity measured 30 inches above the floor. ~~Light bulbs and fluorescent tubes shall be protected so that in the case of breakage there is no possibility of broken glass therefrom falling into any product or equipment.~~
- j-i. Waste. Containers for the collection collecting and holding of wastes other than dry waste paper and other dry packaging materials shall be constructed of metal or other equally impervious material, shall be kept covered with tight-fitting lids or covers, and shall be emptied or otherwise disposed of daily or periodically at least once during the working period shift. Clothing, tools, equipment, and other material not used in connection with the frozen desserts operations shall not be allowed to accumulate in the work areas or in the storage rooms.
- k-j. Employee facilities. A room or other suitable space shall be provided, separate from any rooms or space where milk products or frozen desserts are received, handled, processed, packaged, or stored, shall be provided where employees may change and store clothing. There shall be This area shall contain adequate hand-washing facilities, with hot and cold running water, soap or other detergents, and single-service towels or air dryers. There shall be self Self-closing containers shall be provided for used towels and other wastes.
- k-k. Approval of plans. ~~Plans for construction of new plants or major alterations of existing plants shall be submitted to the Dairy Commissioner for approval before construction or alteration is commenced. Any such construction or major alterations shall include anything necessary to comply with the requirements of this part, except that under unusual circumstances, the The Dairy Commissioner Supervisor may use his discretion in modifying allow variances to the requirements of in this part Section, as long as if proper protection from contamination is provided for all products handled.~~
5. Water and steam.
- a. Water. ~~Both hot and cold water of safe and sanitary quality~~ Potable hot and cold water shall be available in sufficient quantity for all plant operations and facilities. ~~Water from other sources~~ Non-potable water may be used for boiler feed and condenser water, if such ~~the~~ water lines are completely separated from the water lines carrying the sanitary potable water supply; and the equipment is so constructed and controlled as to preclude contamination of any product or product contact surface. There shall be no cross connection between safe and unsafe water supplies. ~~Water for washing frozen desserts equipment and utensils and for use in rehydration or as an ingredient in any frozen equipment and utensils and for use in rehydration or as an ingredient in any frozen dessert shall be free from contamination and shall be from inspected and approved sources. If water for washing frozen desserts equipment and utensils and for use in rehydration or as an ingredient in any frozen desserts is obtained from other than a regulated municipal supply, a bacteriological examination shall be made of such the water supply at least once every six 6 months by a qualified bacteriologist to determine purity and safety of the water for use in the frozen desserts operations~~ potability. If tests indicate any ~~the examination indicates~~ contamination of the water supply, effective procedure for eliminating a device shall be installed to eliminate the contamination shall be installed such as an automatic-chlorine feeder.
 - b. Steam. ~~In those plants where steam~~ If steam is used, it shall be provided in sufficient volume and

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pressure for satisfactory the operation of equipment and/or for sterilization, or both. Steam that may come in direct contact with frozen desserts, ingredients, thereof or with the product contact surfaces, shall be culinary steam which complies with the recommended practices for steam of culinary quality as prescribed in "Producing Culinary Steam for Processing Milk and Milk Products," as published by the National Association of Dairy Equipment Manufacturers, Washington, D.C., April, 1963 Appendix H, Part III, Culinary Steam - Milk and Milk Products, of the PMO.

- e. ~~Hot water. Plants shall be equipped to supply an adequate supply of hot running water for cleaning purposes.~~

6. Equipment and utensils.

- a. ~~Equipment. New equipment shall meet applicable 3-A Sanitary Standards or other recognized standards acceptable to the Dairy Commissioner. All equipment, including connections, coming in contact with frozen desserts or ingredients thereof during processing, manufacturing, handling, or packaging, including connections, shall be constructed made of stainless steel or other equally corrosive-resistant material. In the case of old equipment or where the use of stainless steel is not practicable, other metals properly coated or plated may be approved temporarily. Such temporary approval shall be only for a period satisfactory to the Dairy Commissioner. No equipment shall be permitted which that is rusted, or corroded, or in any other condition which that may result in contamination of the frozen desserts. Non-metallic parts having with product contact surfaces shall be consist of material that meets 3-A Sanitary Standards for Plastic or Rubber and Rubber-like Materials or shall be of plastic approved by the United States Food and Drug Administration. Equipment, apparatus, and piping shall be so designed and installed as to be easily accessible for cleaning and shall be kept in good repair and free from cracks and corroded surfaces. Stationary equipment, including welded sanitary lines and apparatus of such design as will that permit in-place-cleaning, may be used when if prior approval from the Dairy Commissioner Supervisor has been obtained. Cleaned-in-place C-I-P sanitary piping and welded sanitary pipeline systems will shall be considered acceptable permitted if properly engineered and installed according to 3-A Accepted Practices for Permanently Installed Sanitary Product- and Solution Pipelines and Cleaning Systems. Where If rigid pipelines are not practicable practical, plastic pipelines of approved plastic listed in the 3-A Accepted Practices may be used. Product pumps shall be of a sanitary type and easily dismantled for cleaning or shall be of specifically approved construction constructed to allow cleaning-in-place C-I-P procedures. All parts of interior surfaces of equipment, pipes (except certain C-I-P piping cleaned-in-place), or fittings, including valves and connections shall be accessible for inspection. When, in the opinion of the Dairy Commissioner, The Dairy Supervisor may require other equipment, apparatus or piping if stationary equipment,~~

apparatus or piping cannot or is not being effectively cleaned-in-place, ~~he may order the use of other appropriate equipment, apparatus or piping.~~

- b. Equipment for storage and distribution of liquid sweetening agents. ~~Such equipment shall be made constructed of suitable metals, alloys, or other material which that will withstand corrosive action by the ingredient. The equipment and the ingredients shall be protected from contamination.~~
- c. Pasteurization equipment. Pasteurizing equipment shall be in accordance with meet the standards prescribed in 3-A Accepted Practices for Sanitary Construction, Installation, Testing and Operation of High-Temperature-Short-Time Pasteurizers and 3-A Sanitary Standards for Non-Coiled Type Batch Pasteurizers. Batch-type pasteurizers shall be provided with flush close-coupled outlet valves protected against leakage and shall be equipped with recording thermometers, which correctly that record the information of each day's operation on separate charts, each day's operation. Air space thermometers are required on all batch pasteurizers. Indicating and indicating thermometers shall also be provided as a means of checking on to check the recording thermometers. Recording The recording thermometer charts shall be contain the dated date, identified with the identity of the pasteurizing number, the batch and product name, identity, and signed by a responsible official or employee in charge of the pasteurizing operation record made of thermometer checking as provided pursuant to the Dairy Commissioner's requirements and shall be kept and the signature of the employee responsible for this information. The record shall be kept on file at the plant for at least six 6 months. The accuracy of the thermometer shall be checked weekly and the date and name of the person responsible for the weekly accuracy check shall be recorded.
- d. Refrigeration equipment. Every frozen desserts plant shall be provided with suitable contain hardening rooms, refrigerating rooms, or refrigerated cabinets with adequate space for storage of frozen desserts and perishable ingredients, commensurate with the operations conducted at such plant. Refrigeration rooms and units shall be constructed of impervious material capable of being cleaned and shall be kept clean and sanitary.
- e. Utensils. All utensils used in the receiving, storing, processing, manufacturing, packaging, and handling of frozen desserts or any ingredients thereof shall be of smooth, non-absorbent stainless steel, approved or plastic listed in the 3-A Accepted Practices or equally corrosion-resistant material and shall have flush seams. No utensils which Utensils that are badly worn, rusted, or corroded or which that cannot be rendered clean and sanitary by washing shall not be used. No lead Lead solder shall be permitted to not come in contact with milk or milk products or frozen desserts.
- f. Equipment and utensils such as freezers, cabinets for the storage or display of frozen desserts and equipment and utensils used in the dispensing and serving of frozen desserts at retail which meet the standards of the National Sanitation Foundation

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- f. Equipment and utensils such as freezers, cabinets for the storage or display of frozen desserts and equipment and utensils used in the dispensing and serving of frozen desserts at retail which meet the standards of the National Sanitation Foundation shall be deemed to be satisfactory as to construction and design.
7. Cleaning, and sanitizing and sterilizing.
- a. Cleaning and sanitizing. Equipment, sanitary piping and utensils used in receiving, storing, processing, manufacturing, packaging, and handling frozen desserts and ingredients thereof, and all product contact surfaces of homogenizers, high pressure pumps, and packing glands on agitators, pumps and vats, and lines shall be kept clean. Packing glands on all agitators, pumps and vats shall be inspected regularly and kept clean. Before use, all equipment coming in contact with milk products or frozen desserts shall have an effective a bactericidal, or sanitizing or sterilization treatment. Equipment not designed for C-I-P cleaning shall have been be disassembled, thoroughly cleaned and sanitized. Biodegradable dairy cleaners, wetting agents, detergents, sanitizing agents, or other similar material that will does not adversely affect or contaminate the frozen desserts or ingredients thereof may be used. Steel wool or metal sponges shall not be used in cleaning of to clean any equipment or utensils having with product contact surfaces. C-I-P cleaning shall be used only in the case of on equipment and pipeline systems that are designed, engineered, and installed for that type of cleaning. Applicable Other equipment and areas in the plant shall be thoroughly vacuumed cleaned with a heavy-duty commercial vacuum cleaner or by other effective means and the material thus obtained shall be burned or otherwise disposed of so that any insects are destroyed and milk products and frozen desserts will not be contaminated. Exhaust stacks, elevators and elevator pits, conveyors and similar facilities shall be inspected and cleaned at regular intervals regularly.
- b. Sterilization. Sterilization shall be accomplished by Equipment shall be sanitized by using one 1 of the following methods:
- i. By the use of hot Using 180° F. water which after remaining in contact with equipment for not less than two for at least 2 minutes, has a temperature of not less than 180° F.
- ii. By the use of Using steam under pressure for a period of not less than two at least 2 minutes or until all parts of the equipment being sanitized have reached a temperature of 180° F., or the condensate off the equipment remains at a temperature of not less than 180° F. for at least two 2 minutes.
- iii. By the use of Using chlorine with a residual of not less than at least 50 ppm after one 1 minute contact with equipment, or if sprayed, with a residual of not less than at least 100 ppm after five 5 minutes.
- iv. Other bactericide to be used in a manner approved by the Dairy Commissioner. Using any other sanitizing substance prescribed in Appendix F of the PMO.
8. Pasteurization and cooling.
- a. Pasteurization. All frozen desserts mix, with the exception of except for flavoring agents used in frozen desserts, shall be pasteurized.
- b. Pasteurization temperatures. Pasteurization of frozen ~~Frozen~~ desserts mix provided in subsection (A) of this Section shall be done in a plant and with approved equipment conforming to the provisions of this part, pasteurized by heating every particle to:
- i. To a temperature of at least 155° F. and held at such temperature for at least 30 minutes, or
- ii. To a temperature of at least 160° F. and held at such temperature for at least 15 minutes, or
- iii. To a temperature of at least 165° F. and held at such temperature for at least 10 minutes, or by short term pasteurization with controls approved by the Dairy Commissioner, or
- iv. To a temperature of at least 175° F. and held at such temperature for at least 25 seconds, or
- v. To a temperature of at least 180° F. and held at such temperature for at least 15 seconds, or
- vi. To a temperature of at least 200° F. and held at such temperature for at least three 3 seconds, or
- vii. To a temperature of at least 210° F. with no holding time or to such equivalent temperature and period of holding as the Dairy Commissioner shall approve in writing.
- c. High-temperature-short-time pasteurizers shall have the thermal limit controller set and sealed so that forward flow of the product cannot start unless the temperature at the controller sensor is above the appropriate required temperature and so that forward flow of the product cannot continue during descending temperatures when if the temperature is below the appropriate required temperature. The seal shall be applied by the Dairy Supervisor or the Supervisor's designee after testing by the Dairy Commissioner and shall not be removed without immediately notifying the Dairy Commissioner Supervisor or the Supervisor's designee. The system shall be so designed so that no product can be bypassed around bypass the controller sensor, which The controller sensor shall not be removed from its proper position during the pasteurization process.
- d. Cooling. After pasteurization all mix shall be cooled immediately to a temperature of not more than 45° F. or less and shall be maintained at a that temperature of not more than 45° F. until subject to freezing frozen. Any milk Milk, cream, and other fluid milk products other than sterilized, evaporated or sweetened condensed milk in hermetically sealed containers shall also be stored at temperatures of not more than 45° F. or less. This requirement shall be deemed:
- i. To require the use of refrigerated Refrigerated vehicles or approved insulated containers shall be used when in transporting frozen desserts mix from the manufacturing or other plant to a retail manufacturers, and
- ii. To apply to conveying mix Mix shall be moved from coolers or refrigeration units in a manufacturing plants to freezers by means of

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Milk Product Processing Plants section of the 3-A Accepted Practices.

9. Storage.
- a. Utensils and equipment. Utensils and portable equipment used in processing, handling, or packaging of frozen desserts shall be stored above the floor in clean, dry locations and in a self-draining position on racks constructed of impervious, corrosion-resistant material.
 - b. Supplies, ~~and containers, etc. Insofar as~~ Whenever possible, supplies shall be kept in a room separate from rooms where the processing, handling, and packaging of frozen desserts and under conditions which that result in keeping such the materials clean, and free from dust, moisture, insects, rodents, or other possible contamination. Supplies shall be so arranged as to permit cleaning of the area and easy inspection and access. Insecticides and rodenticides shall be plainly labeled, segregated, and stored in a separate room or cabinet away from the edible material or packaging supplies. Caps, parchment papers, wrappers, liners, gaskets, and single-service sticks, spoons, covers, and containers for frozen desserts or their ingredients shall be purchased and stored only in sanitary tubes, wrappings, or cartons and shall be kept therein in a clean, dry place until used and shall be handled in a sanitary manner.
 - c. Raw milk products. Raw products for use in frozen desserts ~~which that~~ are conducive to bacterial growth shall be handled and stored in such a manner as to minimize bacterial growth. When stored, they raw products shall be maintained at a temperature of 50 45° F. or lower until processing commences.
 - d. Non-refrigerated products. Products such as non-fat dry milk and other frozen desserts ingredients ~~which that~~ do not require refrigeration for proper storing shall be placed in dry storage and arranged in such a manner as to be easily accessible for inspection and removal, and to permit for adequate cleaning of the room. Dunnage, and pallets or other similar method of elevation shall be used wherever applicable and practical. Frozen desserts or ingredients thereof shall not be stored with any product that would damage them or impair their quality. Opened containers of ingredients shall be protected from contamination.
 - e. Refrigerated products. All products ~~which that~~ require refrigeration shall, except where as otherwise specified, be stored under such conditions of temperature and humidity as will that best maintain their quality and condition. Products shall not be stored directly on wet floors or be exposed to foreign odors or conditions such as dripping or condensation that might may cause package or product damage.
10. Notification of change in products to be manufactured. ~~When any person who has manufactured only frozen desserts not made with fats other than butterfat desires to manufacture frozen desserts using fats other than butterfat, and when a person who has manufactured only frozen desserts in which no butterfat is utilized wishes to manufacture frozen desserts utilizing butterfat, they shall first notify the Dairy Commissioner. Any person~~

manufacturing only frozen desserts with butterfat, or only frozen desserts with fats other than butterfat, and uses the other type of fat shall first notify the Dairy Supervisor.

11. Clearing lines and equipment. ~~When If the same equipment is used for the processing, pasteurizing, and packaging of frozen desserts made both with dairy products and frozen desserts made with vegetable fats, oils, or proteins, any remaining product shall be completely removed from the lines and equipment or the lines and equipment rinsed with potable water and sanitized before introducing the other another product into the lines and equipment, and all All equipment and lines shall be sanitized either at the end of each day's operations or before the beginning of each day's operations.~~
12. Packaging and containers.
- a. ~~Packaging. Frozen desserts shall be packaged in commercially acceptable commercial containers and using packaging material that will protect the quality of the product and protect it from possible contamination in regular channels of trade. The packaging, cutting, molding, dispensing, and other handling or preparation of frozen desserts and their ingredients shall be done in a sanitary manner. Filling of frozen Frozen dessert containers shall be done filled at the place of pasteurization in using approved mechanical equipment, provided, existing Existing manual processes may be permitted if done in such a manner as to that prevents all contact surface contamination and is approved by the Commissioner Dairy Supervisor.~~
 - b. ~~Containers. Multi-use containers for frozen desserts shall be kept clean and dry. When used for transporting frozen desserts, they shall be rinsed immediately after emptying, shall be cleaned upon return to the plant, and shall be protected from contamination during storage. Metal cans and containers shall be free from rust and corrosion. Paper and plastic containers, liners, covers or other materials coming in contact with frozen desserts shall be so kept, handled, stored and used as to be free from contamination. Single service containers shall not be reused. Multi-use containers for frozen desserts shall be kept clean and dry. If used for transporting frozen desserts, the containers shall be:~~
 - i. Rinsed immediately after emptying.
 - ii. Cleaned upon return to the plant, and
 - iii. Protected from contamination during storage.
 - c. ~~Metal cans and containers shall be free from rust and corrosion.~~
 - d. ~~Paper and plastic containers, liners, covers, or other materials coming in contact with frozen desserts shall be free from contamination.~~
 - e. ~~Single-service containers shall not be reused.~~

D-B. Personnel.

1. ~~Cleanliness. Plant employees shall wash their hands before beginning work and upon returning to work after using toilet facilities, eating, smoking, or otherwise soiling their hands. They Employees shall keep their hands clean and follow good hygienic practices while on duty. Expectoration or using tobacco in any form in rooms or compartments where frozen desserts or ingredients are exposed shall be is prohibited. Clean, white, or light-colored, washable outer garments shall be worn by all persons employees engaged in handling dairy prod-~~

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compartments where frozen desserts or ingredients are exposed shall be is prohibited. Clean, white, or light-colored, washable outer garments shall be worn by all persons employees engaged in handling dairy products, mix or frozen desserts. Suitable hair Hair coverings for head and facial hair shall be worn by all personnel employees engaged in the processing, pasteurization pasteurizing, packaging, handling, and storage of frozen desserts, product containers, and utensils.

2. Handling frozen desserts.—Frozen desserts shall be handled in such a way so that there is no direct contact between the ~~employees'~~ an employee's hands and the product itself. Rubber or plastic gloves may be worn.
3. Health.—No person afflicted with a communicable disease shall be permitted in any room or compartment where milk products or frozen desserts are prepared, processed, stored, converted or otherwise handled. No A person who has a discharging or infected wound, sore or lesion on hands, arms or other exposed portions of the body shall not work in any plant processing or packaging rooms or in any capacity resulting in contact with milk products or frozen desserts or equipment used in the processing or handling of milk products or frozen desserts. An employee returning to work following illness from a communicable disease shall furnish provide a certificate from a physician attesting to his the employee's complete recovery before processing or handling milk products or frozen desserts.
4. Carriers.—No person who is a "carrier" of a communicable disease shall work or be employed in any capacity where frozen desserts are processed, handled, packaged, stored, dispensed or sold.

E.C. Quality standards.

1. Milk products used in frozen desserts. Milk products used in the manufacture of frozen desserts shall meet the following standards:

<u>Product</u>	<u>Standard Plate Count Not to Exceed</u>
Raw Milk	500,000 per ml.
Pasteurized Milk	50,000 per ml.
Raw Cream	500,000 per ml.
Pasteurized Cream	100,000 per ml.
2. Butter, 80% percent cream, plastic cream, mixtures of butterfat, sugar or sweetening agent, moisture and flavoring, condensed milk, mixes and all other similar products shall conform to meet the following standards:

<u>Bacterial Standards</u>	<u>Not to Exceed</u>
Standard Plate Count	Not to exceed 50,000 per gram
Coliform Count	Not to exceed 20 per gram
Yeast—	Not to exceed 50 per gram
Mold	Not to exceed 50 per gram
3. Dry whole milk to be U.S. Premium grade or its equivalent. Powdered non-fat dry milk, shall meet the requirements for U.S. Department of Agriculture Extra grade or its equivalent. Dry dry whey, shall meet the requirements of the U.S. Extra grade or its equivalent. Dry and dry buttermilk shall meet the requirements PMO standards of the U.S. Extra grade or its equivalent.
- 2.4. Fats and oils. Fats and oils other than from milk shall conform to the applicable provisions meet the standards of the United States Food, Drug and Cosmetic Act as amended, or those of any applicable state regulations for fats and oils of food grade standards.
3. Finished products. After pasteurization, frozen desserts or frozen desserts mix shall not contain in excess of 20 coliform per gram and/or in excess of 50,000 plate count

of bacteria per gram at any time up to and including time of delivery.

4. Method of determination.—Bacteria and other counts referred to herein shall be based on recognized standard methods of analysis as prescribed in the latest edition of Standard Methods for the Examination of Dairy Products of the American Public Health Association, Inc.
- 5.5. Returns.—Frozen desserts in broken or opened containers or in containers from which the product has been partially used may be returned to the plant for examination but shall not be used or sold for making frozen desserts.
6. All reconstituted frozen desserts shall be pasteurized before packaging.

F.D. Labeling.

1. Compliance with law. All packages of frozen desserts, including cans or other containers of frozen desserts mix but not including frozen desserts packaged in accordance with a customer's request and in the presence of such the customer, shall be properly ~~except when in conflict with statutes,~~ labeled as prescribed in the federal Food, Drug and Cosmetic Act, as amended.
2. Plant of manufacture.—In addition to the name and address of packages of frozen desserts, there shall also appear on the package a code number assigned by the Dairy Commissioner or the name and address identifying the plant at which such frozen desserts were manufactured, as follows: Each frozen dessert package shall contain:
 - a. The code number assigned by the Dairy Supervisor, identifying the specific manufacturing plant; or
 - b. The name and address of the frozen dessert manufacturer.
- a. Any person operating more than one plant where frozen desserts are manufactured shall identify the plant of manufacture by means of a code number assigned by the Dairy Commissioner or by the name and address of each plant.
- b. Any person who manufactures frozen desserts for sale in packages bearing the name and address of a person other than the manufacturer shall identify the plant of manufacture by means of a code number assigned by the Dairy Commissioner or by the name and address of each plant.
3. Label requirements.—Except when in conflict with the statutes, label statements concerning frozen desserts shall be those currently in effect as promulgated pursuant to the federal Food, Drug and Cosmetic Act.

G.E. Dispensing of frozen desserts—License suspension.

1. Premises. All premises where frozen desserts are dispensed shall be maintained in a clean and sanitary condition and shall comply with the applicable provisions of this Section.
2. Protection.—Frozen desserts and the equipment, utensils and dishes used in dispensing or serving, together with fruit, flavors, syrups and other items served with frozen desserts, shall be protected from rodents, vermin, flies, insects, dust and all other forms of contamination.
3. Cabinets.—Frozen desserts cabinets shall be kept clean, sanitary, neat, free from objectionable odor and free from unnecessary utensils, dishes, or other material and products. Such cabinets shall be kept closed except when necessary to remove or replenish supplies of product or when cleaning. The cabinet compartments or receptacle for frozen desserts shall not be used for any other purpose. Multi-use frozen desserts cans shall not

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be used for any other purpose, other than to store frozen desserts.

4. **Utensils.** Dippers, spoons, scoops and other utensils, containers, or apparatus used for the dispensing of frozen desserts must be kept clean, free from contamination, handled in a sanitary manner, washed in clean hot water containing alkaline detergent or other equivalent material, rinsed in clean water and sterilized by one of the methods prescribed in this Section and if stored, the sterilization shall be performed immediately before reuse, unless stored in such a manner that contamination will not occur. Dippers, scoops, spoons or other dispensing equipment, when used intermittently for serving customers, shall be kept clean, running water between use, provided however, that such dispensing utensils may be kept in the container of frozen dessert which is being dispensed if the handle of the utensil does not touch the product and if it is cleaned and sanitized daily. Badly worn, rusted or corroded utensils, containers, or equipment shall not be used.
5. **Sale of unprotected frozen desserts.** Except when sold for consumption on the premises, frozen desserts sold at retail shall be packaged or wrapped.
6. **Sales through vending machines.** When frozen desserts are sold or dispensed through vending machines, such vending machines, including any labeling on the selector devices, shall clearly and correctly indicate the product or products vended. If more than one product is vended, the names of each product shall be in letters of the same size and style.
7. **Sales of frozen desserts at retail.** When frozen desserts made with fats or proteins, other than from milk, are sold at retail, a sign must be prominently and conspicuously displayed on the sale premises or vehicle, stating "Mellorine Sold Here". The letters in such sign shall be in bold face capitals at least three inches in height and in a contrasting color with the background. In a retail store such sign must be displayed on or over the refrigerated case or cabinet in which such frozen dessert is displayed or offered for sale.
8. **Vehicles.** All vehicles used for the transportation of frozen desserts shall be constructed and operated so as to assure proper temperatures for frozen dairy products and to prevent the contamination of such products. All such vehicles shall be kept in good repair and clean at all times.
9. **License(s) and/or permits.**
 - a. No person shall operate a frozen dessert plant without a license(s) or permit from the Dairy Commissioner.
 - b. **Revocation of license.** The Commissioner Dairy Supervisor may suspend the permit license of a frozen dessert plant whenever the bacteria counts, coliform determinations, yeast or mold counts exceeds the quality standards for frozen desserts in three 3 out of the last five 5 samples taken on separate days. In addition, the Commissioner Dairy Supervisor may suspend the permit of a frozen dessert plant for failure to comply with any of the provisions of these regulations this Section.

H. Soft serve frozen dessert stands

1. Soft serve frozen dairy desserts shall contain not less than .5% butterfat by weight.

2. Soft serve frozen desserts containing not less than .5% butterfat and not more than 2% butterfat may be sold and advertised as "low fat" frozen desserts.

I. Reconstitution of frozen soft serve desserts from powdered mixes

1. **Standards:** Retail establishments which reconstitute frozen desserts from powdered mixes and dispense the desserts on the premises shall comply with the following minimum standards:
 - a. All powdered mixes used to reconstitute the dessert shall have been pasteurized prior to packaging.
 - b. All water used in the reconstitution of the dessert shall be from a source approved by the Dairy Commissioner or Department of Health.
 - c. All equipment, containers and utensils used in the reconstitution of the dessert shall be made of stainless steel or an equally corrosive-resistant metallic material and shall meet 3-A standards; no plastic equipment, containers or utensils may be used.
 - d. The retail dispensing establishment shall have at least one triple compartment sink suitable for the washing and sanitizing of all equipment and containers.
 - e. All equipment, containers and utensils shall be washed and air dried after each use and shall be sanitized before each use, in accordance with the sterilization standards set forth in subparagraph (C)(7)(b) of this regulation.
 - f. When not in use, all equipment, utensils and containers shall be stored above the floor in a clean, dry location free from dust, moisture, insects, rodents or other possible sources of contamination.
 - g. The amount of frozen dessert reconstituted from the powdered mix at any time shall be limited to the capacity of the dispensing equipment; excess quantities of the dessert may not be made in advance and stored outside of the dispensing machine.
 - h. Frozen desserts shall be reconstituted in strict accordance with the directions provided by the manufacturer of the powdered mix.
 - i. In addition to the foregoing standards, dispensing establishments shall comply with the requirements set forth in paragraphs (C)(1) through (C)(7), (C)(9) through (C)(12); subsections (D), (E), (F), and (G) of this regulation. Where there is any conflict between the foregoing provisions and the requirements set forth in this Section, the requirements of this Section shall control.
2. **Enforcement:** The Dairy Commissioner may suspend the license of any establishment which violates any of the provisions of this Section.

R3-2-808. Frozen Desserts Reconstituted From Powdered Mixes

Except for R3-2-807(B)(8), retail establishments that reconstitute frozen desserts from powdered mixes and dispense the desserts on the premises shall comply with the requirements prescribed in R3-2-807 and the following standards:

1. All equipment, containers, and utensils shall be washed and air dried after each use and shall be sanitized before each use, in accordance with the sterilization standards established in subsection R3-2-807(B)(7)(b).
2. When not in use, all equipment, utensils, and containers shall be stored above the floor in a clean, dry location free from dust, moisture, insects, rodents, or other possible sources of contamination.

R3-2-808, R3-2-809, Medicinal, chemical, Chemical, and radioactive Radioactive residues Residues in milk Milk

A. Preventing medicinal, chemical and radioactive residues: All dairies shall comply with the following minimum procedures to exclude medicinal, chemical, and radioactive residues from milk intended for human consumption:

1. Identify all cows which that have been treated with or which have consumed medicinal, chemical, and radioactive agents capable of being secreted in milk;
2. Maintain a written record of the date of treatment, type, and quantity of the medicine or chemical administered to each cow;
3. Milk all such treated cows last, or with separate equipment to prevent contamination of the wholesome milk supply;
4. Effectively clean Clean and sanitize all equipment, utensils, and containers used in the handling of milk from such the treated cows; before such the equipment is used in the handling of any milk intended for human consumption; and
5. Discard all milk from such the treated cows for the period of time recommended by the attending veterinarian or as indicated on the package or label of the medicine used in the treatment of the animal cow.

B. Enforcement.

1. When the residue of any a chemical, medicinal, or radioactive agent is found in the milk of a dairy and the State Dairy Commissioner Supervisor determines that such the residue may be deleterious to human health, the Commissioner Director shall immediately suspend such the dairy from further selling, offering for sale, or distributing milk for human consumption until:

- a. The Commissioner has determined Dairy Supervisor determines that the practices causing the contamination of the milk have has been corrected and the dairy is in compliance with the procedures set forth established in subsection (A) of this regulation;
- b. Any milk which that has not been excluded from human consumption as required by subsection (A) of this regulation is appropriately discarded; and
- c. The 1st milk shipment following suspension indicated indicates negative test results for medicinal, chemical, or radioactive residues.

2. If at any time the State Dairy Commissioner Supervisor determines that a dairy is not in compliance with the procedures set forth established in subsection (A) of this regulation, the Dairy Supervisor may suspend the dairy may be suspended until such time as the prescribed procedures are observed.

NOTICE OF FINAL RULEMAKING

TITLE 3. AGRICULTURE

CHAPTER 4. DEPARTMENT OF AGRICULTURE PLANT SERVICES DIVISION

PREAMBLE

1. Sections Affected

R3-4-233
R3-4-233

Rulemaking Action

Repeal
New Section

2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute: A.R.S. § 3-107.

Implementing statute: A.R.S. §§ 3-201.01(A), 3-202, 3-204, 3-205, 3-210.

3. The effective date of the rules:

December 2, 1998.

4. A list of all previous notices appearing in the Register addressing the adopted rule.

Notice of Rulemaking Docket Opening: 1 A.A.R. 68, February 10, 1995.

Notice of Proposed Rulemaking: 4 A.A.R. 1574, July 6, 1998.

Notice of Public Information: 4 A.A.R. 2631, September 18, 1998.

5. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:

Name: Shirley Conard, Rules Specialist

Address: Arizona Department of Agriculture
1688 West Adams, Room 124
Phoenix, Arizona 85007

Telephone: (602) 542-0962

Fax: (602) 542-5420

6. An explanation of the rule, including the agency's reasons for initiating the rule:

The Lettuce Mosaic rule establishes the requirements for shipping lettuce seed into Arizona and for growing lettuce in the state. The repeal and adoption of this rule will remove outdated and gender specific terminology; information not essential to the

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rule; unnecessary references to statute; clarify existing language; and set up a structure and format consistent with other Department rules.

In spite of the current rule and the wishes of the lettuce industry, seed has been planted that is not lettuce mosaic-indexed. As a result, growers have notified the Department that lettuce mosaic exists in various lettuce crops in the state. However, no lettuce mosaic has been officially identified by the State Agricultural Laboratory and no lettuce crops have been abated by the Department.

Lettuce breeders have expressed the need to plant uncertified seed for trial purposes. The proposed rule will permit lettuce breeders to plant uncertified lettuce seed under the condition that they monitor the field, maintain the integrity of the crop, and remove any diseased plants. Only minimum information is required on the permit to ensure confidentiality.

7. A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material.

None.

8. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable.

9. The summary of the economic, small business, and consumer impact:

This rule will accommodate plant breeders wishing to grow lettuce that has not been mosaic-indexed provided they follow guidelines to prevent the spread of the lettuce mosaic virus.

A. *Estimated Costs and Benefits to the Arizona Department of Agriculture.*

There are no inspections resulting from this rulemaking and only a minimal amount of clerical work to administer the permits. The administrative functions will be incorporated into current workload with no significant costs to the Department for administering these rules.

B. *Estimated Costs and Benefits to Political Subdivisions.*

Political subdivisions of this state are not directly affected by the implementation and enforcement of this rulemaking.

C. *Businesses Directly Affected By the Rulemaking.* (Lettuce growers and breeders)

This rule requests minimal information from any lettuce breeder wishing to grow uncertified lettuce seed. Although no monitoring will take place, and in fact, no parameters exist to regulate these growers, this rulemaking provides the industry with an 'official' declaration that tests are taking place. The lettuce breeder simply applies for a permit, supplies the pertinent information and a permit will be issued. No costs are associated with this rulemaking.

D. *Estimated Costs and Benefits to Private and Public Employment.*

Private and public employment are not directly affected by the implementation and enforcement of this rulemaking.

E. *Estimated Costs and Benefits to Consumers and the Public.*

Consumers and the public are not directly affected by the implementation and enforcement of this rulemaking.

F. *Estimated Costs and Benefits to State Revenues.*

This rulemaking will have no impact on state revenues.

10. A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):

A misspelled word and punctuation was corrected in subsection (E)(1). Minor grammatical and punctuation changes were made at the request of G.R.R.C. staff, and the definition of "mosaic-indexed" was clarified with reference to zero infected seed tolerance.

11. A summary of the principal comments and the agency response to them:

None.

12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

None.

13. Incorporations by reference and their location in the rules: material:

None.

14. Was this rule previously adopted as an emergency rule?

No.

15. The full text of the rules follows:

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TITLE 3. AGRICULTURE

CHAPTER 4. DEPARTMENT OF AGRICULTURE PLANT SERVICES DIVISION

ARTICLE 2. QUARANTINE

Section

R3-4-233. Lettuce Mosaic

R3-4-233. Lettuce Mosaic

ARTICLE 2. QUARANTINE

R3-4-233. Lettuce mosaic

- A.** Notice of quarantine: It has been determined that Lettuce Mosaic, a virus, is a dangerous seed-borne pest that is a serious threat to the lettuce industry of the state of Arizona. In order to prevent the introduction of this serious pest in seed, it is hereby ordered and declared that the entry of quarantined articles into the state of Arizona shall be governed by the following quarantine. In addition, certain cultural practices are necessary to destroy infected host plants following harvest or abandonment and to prevent spread to uninfected crops.
- B.** Pest: Lettuce Mosaic, a virus.
- C.** Area under quarantine: All states and districts of the United States, including the state of Arizona.
- D.** Commodities covered: All varieties of lettuce, *Lactuca sativa*, including head lettuce, butter head lettuce, loose leaf lettuce, and romaine lettuce seeds, plants and parts thereof.
- E.** Restrictions:
1. Rules governing the importation, transporting, planting, and sale of lettuce seed:
 - a. Any lot of lettuce seed imported into, transported within, planted or sold in the state of Arizona, unless authorized by Special Permit by the State Entomologist, shall be mosaic-indexed or mosaic-tested. Mosaic-indexed or mosaic-tested seed shall mean lettuce seed which has been tested by a method approved by the State Entomologist and found to have zero (0.0) seed-borne mosaic virus infected seeds per 30,000 seeds tested, or equivalent method. Said testing shall be performed by a qualified seed testing agency under Special Permit issued by the State Entomologist. (In this regulation, a "lot" is defined as any definite quantity of seed weighing in excess of 1/4 pound.) Arizona Revised Statutes, Title 3, Chapter 2, Section 3-209(B), states: "Any person who brings or causes to be brought into the state plants, fruits, vegetables, agricultural or horticultural products shall, immediately after the arrival thereof, notify the inspector at the place where they may be received and hold them without unnecessarily moving or placing them where they may be harmful for the immediate inspection of the inspector and shall not deliver them to the person entitled thereto until furnished with a certificate of release by the inspector." (Also see attached extracts from Arizona Revised Statutes, Title 3, Chapter 2, Sections 3-213; 3-214; and 3-215: Concealment of plants or agricultural products; Failure to stop at inspection stations; Violations and penalties.)

Each shipment of a lot or lots of seeds entering the state may be officially sampled in accordance with seed sampling procedures set forth by the State Entomologist.

- b. No person in the state of Arizona shall have in his possession, custody, or control any lot of seed not in compliance with (a) above.
 - c. Each shipment of a lot or lots of seed entering the state of Arizona shall be accompanied by an official certificate issued by a plant quarantine officer of the state from which the seed was shipped. Any part or parts of an original shipment of a lot or lots of seed transported in intrastate commerce within the state of Arizona, by common carrier or private carrier offering such lot or lots for sale, except it does not include a person transporting seed for his own use, shall be accompanied by a supplemental certificate issued by an Arizona inspector. Said certificates shall contain the following information:
 - i. The statement that "The lot or lots of seed covered by this certificate have been mosaic tested under the supervision of a qualified inspector and were found to have zero (0.0) seed-borne lettuce mosaic infected seeds per 30,000 tested (zero in 30,000), or equivalent method."
 - ii. The name and address of the qualified seed testing agency, as designated by the state Department of Agriculture, or other similar regulatory body of the state of origin, as approved by the Arizona State Entomologist.
 - iii. The clearly stated lot number of said shipment of the lot or lots.
 - iv. The number of containers in, and weight of, the shipment.
 - d. Each container or subcontainer of seed, in addition to other required information, must have legibly stamped thereon in 8-point type or larger or bear a label containing a statement in 8-point type or larger, tested and found 0.0 in 30,000 infected seeds and the lot number of which the container or subcontainer is a part. In addition to the preceding, each lot or lots, container or subcontainer of coated seed shall have thereon the variety, approximate poundage, and lot number of the original raw seed; also, the name of the person applying the coating.
 - e. Each container or subcontainer of seed offered for planting or sold for planting in the state of Arizona shall be in its original unopened condition and cannot be subdivided for repackaging, except under Special Permit by the State Entomologist.
 - f. Lettuce seedlings and lettuce beddings plants must have been grown from seed which was mosaic-indexed or mosaic-tested as defined in this regulation. Shipments consisting of five flats or less, not intended for commercial planting, are exempt.
2. Rules governing the cultural practices to be followed in growing covered commodities within the state of Arizona:
 - a. Whenever the State Entomologist, after investigation, shall find that a field upon which one of the commodities has been grown is abandoned, or on which the harvest of such commodity has been completed, has not been disked, he shall serve upon

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the owner, tenant, or occupant, a notice in writing (pursuant to A.R.S. § 3-205) that the field shall be disked or otherwise destroyed by the owner of the land, or other person or persons on, occupying, or using the land under any authority, expressed or implied of the owner, at his expense within the time limit specified in the notice after being notified in writing of the violation by an agent of the Commission of Agriculture and Horticulture, and that the host plants must be destroyed to the satisfaction of the State Entomologist.

- b. All fields of covered commodities in the state of Arizona shall be disked or otherwise destroyed within a reasonable time but not to exceed 15 days after the last day of abandonment or commercial harvest. The date of abandonment or harvest termination shall be determined, after investigation by the State Entomologist, and in cooperation with the Arizona Fruit and Vegetable Standardization Service.

F. Disposition of violations: Any shipment or lot of quarantined seed as herein defined arriving in Arizona, or found within the state of Arizona, in violation of this quarantine shall be immediately sent out of the state or destroyed at the option and expense of the owner or owners, his or their responsible agents, and under the direction of the Entomologist or his inspectors.

G. Treatments: None.

H. The State Entomologist may consult with the Yuma Vegetable Shippers Association or the Vegetable Growers Association, or both, prior to issuing any special permit which is hereby authorized by this regulation.

I. General rules: See "General Rules and Definitions, Article 1."

J. Pertinent statutes:

Arizona Revised Statutes, Title 3, Chapter 2:

"Section 3-213. Concealment of plants or agricultural products

It is unlawful for a person to conceal from a quarantine officer any plant or plant product or to fail to present such plant or plant product or any quarantined article for inspection at the request of such officer."

"Section 3-214. Failure to stop at inspection station

It is unlawful for a person in possession or in control of a vehicle to fail to stop the vehicle at a properly signed inspection station, or upon demand of a plant quarantine officer, for the purpose of determining whether any quarantine established pursuant to the provisions of law is being violated."

"Section 3-215. Violations; penalties

- A. It is unlawful to wilfully refuse or knowingly neglect to comply with any rule, regulation or order promulgated by the commission for the protection of the agricultural or horticultural industry, or promulgated for the control of a quarantine zone established by the Entomologist or the Commission.
- B. A person obstructing or conspiring to obstruct the Commission or the Entomologist or his representatives, in the performance of their duties, or who violates any provision of this article is guilty of a misdemeanor punishable by a fine of not less than \$50 nor more than \$300 for the first offense, and not less than \$300 nor more than \$500 or imprisonment in the county jail for not more than six months, or both, for each

subsequent offense. Each separate violation shall constitute a special offense."

R3-4-233. Lettuce Mosaic

A. Definitions. In addition to the definitions provided in R3-4-201, the following terms apply to this Section:

1. "Integrity" means the planting location is free from the pest.
2. "Mosaic-indexed" means lettuce seed that has been tested by a laboratory approved by a state in which the laboratory is located. The testing sample shall contain at least 30,000 seeds and no seeds shall be found infected with the pest.
3. "Pest" means the virus, lettuce mosaic.

B. Area Under Quarantine: All states and districts of the United States.

C. Commodities Covered: Plants and plant parts, including seeds, of all varieties of lettuce, *Lactuca sativa*.

D. Restrictions.

1. Any lettuce seed imported into, transported within, planted, or sold in Arizona shall be mosaic-indexed unless authorized by a permit established in subsection (E).
2. Each container or subcontainer of seed shall bear a label with the statement "Zero infected seeds per 30,000 tested (0 in 30,000)." or shall be accompanied by an official certificate from the state of origin attesting that the seed is mosaic-indexed.
3. Lettuce transplants imported into, transported within, planted, or sold in Arizona shall be accompanied by an official certificate from the origin state that includes:
 - a. The name of the exporter,
 - b. The variety name and lot number of the seed from which the transplants were grown, and
 - c. Verification that the seeds from which the transplants were grown meet the requirement in subsection (E)(1).
4. Exemptions. The requirements of subsection (D) do not apply to:
 - a. Lettuce seed sold in retail packages of 1 oz. or less to the homeowner for noncommercial planting, or
 - b. Any shipment of lettuce transplants consisting of 5 flats or less per receiver for noncommercial planting.

E. Permits:

1. A lettuce breeder or researcher may apply for a permit for lettuce seed or transplants that have not been mosaic-indexed, provided:
 - a. Each permit is for a 1/20 acre plot or less.
 - b. The applicant monitors the lettuce for pest symptoms.
 - c. The applicant verifies the integrity of the fields.
 - d. All plants exhibiting pest symptoms are destroyed, and
 - e. The following statement appears on the bill of lading or invoice accompanying each shipment: "This shipment meets Arizona lettuce mosaic permit requirements. Permit number."
2. A seed dealer may apply for a permit to import non-mosaic-indexed lettuce seed for temporary storage in Arizona, provided:
 - a. Non-mosaic-indexed lettuce seed is shipped out-of-state and not distributed for use in Arizona;
 - b. The seed dealer maintains and makes available for Department inspection during regular business

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hours an inventory record on all non-mosaic-indexed lettuce seed which includes:

- i. The quantity and lot number of non-mosaic-indexed lettuce seed.
- ii. The date and lot number of non-mosaic-indexed lettuce seed received by the seed dealer.
- iii. The date and lot number of non-mosaic-indexed lettuce seed shipped out-of-state by the seed dealer, and
- iv. The destination of each shipment.
- c. The permit does not preclude inspection of non-mosaic-indexed lettuce seed upon entering Arizona.

F. A grower shall disk, or otherwise destroy all lettuce fields within 10 days after the last day of commercial harvest or abandonment, unless prevented by documented weather conditions or documented circumstances beyond the control of the grower, or in the case of a permittee, as soon as the purpose of the crop is completed.

G. Disposition of Violation.

1. Any infected shipment of lettuce seed or transplants arriving in or found within the state, in violation of this Section, shall be immediately destroyed. The owner or the owner's agent shall bear the cost of the destruction.
2. Any untested shipment of lettuce seed or transplants arriving in or found within the state, in violation of this Section, shall be immediately sent out-of-state or destroyed at the option of the owner or the owner's agent. The owner or the owner's agent shall bear the cost of the destruction or of sending the lettuce seed or transplants out-of-state.
3. Any Arizona lettuce fields in violation of this Section shall be abated as established in A.R.S. §§ 3-204 and 3-205. The owner or person in charge may be assessed a civil penalty established in A.R.S. § 3-215.01.
4. Violation of any provision of the permit may result in suspension or revocation of the permit.

NOTICE OF FINAL RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 19. BOARD OF NURSING

PREAMBLE

1. Sections Affected

R4-19-308

Rulemaking Action

Amend

2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes and rules are implemented (specific):

Authorizing statute: A.R.S. § 32-1606(A).

Implementing statute: A.R.S. §§ 32-1606(A)(7), 32-1606(B)(12).

3. The effective date of the rules:

December 3, 1998

4. A list of all previous notices appearing in the Register addressing the final rule:

Notice of Rulemaking Docket Opening: 3 A.A.R. 1933, July 18, 1997.

Notice of Proposed Rulemaking: 4 A.A.R. 1328, June 12, 1998.

5. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:

Name: Audrey Rath, M.S., R.N.
Nurse Practice Consultant

Address: Arizona State Board of Nursing
1651 E. Morten, Suite 150
Phoenix, Arizona 85020

Telephone: (602) 331-8111, Ext. 124

Fax: (602) 906-9365

6. An explanation of the rule, including the agency's reasons for initiating the rule:

The proposed amendment is necessary because the Department of Education ceased its certification of school nurses in March 1997. As a result, the current rule is no longer appropriate and must be amended to provide for certification and renewal of certification by the Board of Nursing. Additionally, the proposed amendment is necessary because Senate Bill 1096 (Laws 1998, Ch. 84, § 3), which was signed by the Governor on May 8, 1998, and became effective in August 1998, requires applicants for certification to provide a verified statement that indicates whether applicants have been convicted of a felony, and if convicted of 1 or more felonies, indicates the date of absolute discharge from the sentences for all felony convictions.

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7. A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material:

None.

8. A showing of good cause while the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable.

9. The summary of the economic, small business, and consumer impact:

The proposed amendment will have no economic impact on either the nurses regulated under Chapter 19 or the public. The nurses regulated will be informed that school nurses will be certified by the Board of Nursing instead of the Department of Education. The educational requirements, however, have not changed since the Department of Education certified school nurses. The fees to be charged for certification and renewal of certification by the Board of Nursing are the same as those that had been charged by the Department of Education. As a result, the cost to school nurses will be the same as when they were certified by the Department of Education. The costs are to the Secretary of State for publication of the rule and to the Board of Nursing in promulgating the rule. Additionally, the Board of Nursing will incur costs in the nature of time and resource allocation for the certification and renewal of certification process.

10. A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):

R4-19-308(A)(1) delete "educational and certification" before requirements on the 1st line.

R4-19-308(B) delete the following: "or an applicant holding a school nurse certificate issued by the Department of Education" to clarify that these nurses must also seek initial certification by the Board.

R4-19-309(B)(2)(f) add a comma after position on the 1st line.

R4-19-308(B)(2)(g) substitute the word "Whether" for "If" in the 1st line; delete the comma after examination and add the word "and" on the 2nd line; and add ", if applicable" at the end of the last line.

R4-19-308(B)(2)(h) substitute the word "Whether" for "If" in the 1st line; add the word "and" after revoked on the 2nd line; and add ", if any" at the end of the last line.

R4-19-308(B)(2)(i) substitute the word "Whether" for "If" in the 1st line; add the word "and" after applicant on the 2nd line; and add ", if any" at the end of the last line.

R4-19-308(B)(2)(j) substitute the word "Whether" for "If" in the 1st line; add the word "and" after felony on the 1st line; and add ", if applicable" after the word convictions on the 2nd line.

R4-19-308(B)(2)(k) add the words "under oath" after statement on the 1st line.

R4-19-308(C)(1) substitute the word "1st" before renewal on the 1st line for "first".

R4-19-308(D) delete the following: "For renewal of a school nurse certificate, a professional nurse shall provide proof of completion of the following educational requirements:"

R4-19-308(D)(1) substitute the word "1st" before renewal on the 1st line for "first"; substitute "professional" for "school" before nurse on the 1st line.

R4-19-308(D)(2) substitute the word "2nd" before renewal on the 1st line for "second"; substitute "professional" for "school" before nurse on the 1st line.

R4-19-308(D)(2)(a) delete the words "nursing theory" after health on the 1st line.

R4-19-308(D)(2)(b) delete the words "in nursing practice theory" after concepts on the 1st line.

R4-19-308(D)(3) substitute "professional" for "school" before nurse on the 1st line.

R4-19-308(D)(3)(a) add "or" after R4-19-101(23).

R4-19-308(D)(4) change "Subsection" to lower case.

R4-19-308(D)(4)(a) substitute the word "1st" before renewal on the 1st line for "initial"; delete the period at the end of the 2nd line and add "; and."

R4-19-308(D)(4)(b) substitute the word "1st" before renewal on the 1st line for "initial".

11. A summary of the principal comments and the agency response to them:

Eight individuals testified in support of the rule at a public hearing held on July 16, 1998, and 11 written comments were received by the Board before the close of record. While 8 individuals spoke in support of the rule at the hearing and 7 out of 11 written comments were in support of the rule, 4 issues were identified in the written comments.

One comment concerned the requirements of community health nursing theory and management concepts in nursing practice theory. The commenter believed these courses were too restrictive for school nurses who have degrees other than a Bachelor of

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Science in Nursing. In response to this comment, the Board changed these educational requirements to community health and management concepts. Additionally, concern was expressed regarding the use of the words "initial certification" and "initial renewal" in R4-19-308(D)(1) and R4-19-308(D)(4). As a result of this concern, the Board has changed the words "initial" certification to "1st" certification and the words "initial" renewal to "1st" renewal throughout R4-19-308(B). This commenter also expressed concern regarding the availability of the educational requirements specified in R4-19-308(D)(2) and (3) and the requirement in the rule that these educational requirements be satisfied for school nurses who have been certified by the Department of Education. Contrary to the beliefs of this commenter, the educational requirements set forth in the amendment to R4-19-308 are the same educational requirements that were in effect when the Department of Education certified school nurses. These educational requirements are presently and have been available to school nurses although at times, the classes have been canceled because of lack of student enrollment. As a result, the Board did not change the educational requirements set forth in R4-19-308(D)(2) and (3).

Finally, 2 commenters expressed concern regarding the cost and availability of the educational requirements in relation to the average school nurse salary. Contrary to the belief of these commenters, the educational courses are available at other state universities than the University of Phoenix. For example, the courses are also available at Northern Arizona University, Arizona State University, and the University of Arizona. Unfortunately, the Board lacks any ability to require community colleges to offer the courses or to impact the fees that are charged for the courses. The Board considered concerns regarding the availability of courses and decided to keep the same educational requirements as had the Department of Education, and not to impose additional requirements. It is important to remember that school nurse certification is not required by the Board; it is voluntary, and the cancellation of classes because of poor enrollment is not within the Board's control. Likewise, the cost of satisfying the educational requirements is not within the Board's control.

12. Any other matters that are prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:
Not applicable.
13. Incorporations by reference and their locations in the rules:
Not applicable.
14. Was this rule previously adopted as an emergency rule:
No.
15. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 19. BOARD OF NURSING

ARTICLE 3. LICENSURE

Section

R4-19-308. School Nurse Certification Requirements

ARTICLE 3. LICENSURE

R4-19-308. School Nurse Certification Requirements

A. For initial certification as a school nurse, a professional nurse shall comply with A.R.S. § 15-531.01.

A. Scope and applicability.

1. This Section establishes the requirements for school nurse certification.
2. This Section applies to all professional nurses seeking initial and renewal of school nurse certification.
3. School nurse certifications issued by the Department of Education are valid and remain valid until expiration. Upon expiration of a Department of Education certificate, a professional nurse who wishes to maintain school nurse certification shall seek initial certification under this Section.

B. Application requirements. An applicant for initial school nurse certification shall:

1. Hold a current license in good standing to practice as a professional nurse in Arizona, and,
2. Submit to the Board a verified application on a form furnished by the Board that provides the following information:
 - a. The applicant's full name and any former names used by the applicant;

- b. The applicant's current mailing address and phone number;
- c. The applicant's professional nurse license number;
- d. The applicant's social security number;
- e. A description of the applicant's educational background, including the number and location of schools attended, the numbers of years attended, the date of graduation, the type of degree or certificate awarded, and if applicable, a statement that the applicant has satisfied the educational requirements specified in subsection (D);
- f. The applicant's current employer, including address, type of position, and dates of employment;
- g. Whether the applicant has taken and passed a national certification examination, the name of the certifying organization, specialty area, certification number, and date of certification, if applicable;
- h. Whether the applicant has ever had a nursing license denied, suspended, or revoked, and an explanation of the license denial, suspension or revocation, if any;
- i. Whether a disciplinary action, consent order, or settlement agreement has been imposed on the applicant, and an explanation of the disciplinary action, consent order, or settlement agreement, if any;
- j. Whether the applicant has ever been convicted of a felony, and the date of absolute discharge of the sentence for all felony convictions, if applicable; and

- k. A sworn statement under oath by the applicant verifying the truthfulness of the information provided by the applicant.
- C. Certification and renewal terms.**
1. Initial certification and 1st renewal of certification shall be valid for 3 years.
 2. Subsequent renewals of certification shall be valid for 6 years.
 3. An applicant holding a school nurse certificate issued by the Department of Education or by another state shall provide proof of completion of the educational requirements of subsection (D)(1), (2), or (3) for the certification or renewal period applicable to the applicant.
- DB. Educational requirements. For renewal of a school nurse certificate, a school nurse shall comply with the following educational requirements:**
1. Prior to application for the 1st renewal of certification in 1998, a professional school nurse shall have completed the following or show provide proof of prior completion of all of the following educational requirements:
 - a. Three semester hours in school nurse practice course work,
 - b. Three semester hours in physical assessment of the school-aged child course work, and
 - c. Three semester hours in nursing care of the child with developmental disabilities.
 2. Prior to application for a 2nd renewal of certification after 1998, a professional school nurse shall have completed the following or show provide proof of prior completion of all of the following educational requirements:
 - a. Three semester hours in community health;
 - b. Three semester hours in management concepts; and
- c. Three semester hours of upper division course work in any of the following areas: counseling, health promotion, nutrition, legal-ethical or interpersonal communication, and group process.
3. Prior to all subsequent applications for renewal of certification, a professional school health nurse shall complete provide proof of completion of 1 of the following:
- a. Six semester hours of upper division or graduate credit taken from a regionally accredited institution, as defined in the State Board of Education rule, A.A.C. R7-2-601 R4-19-101(23); or
 - b. Ninety contact hours of continuing education related to nursing practice.
4. Notwithstanding subsections (C)(3) and (D)(1):
- a. Professional nurses applying for initial certification or 1st renewal of certification through the Board, who have completed the educational requirements in (D)(1), shall provide proof of completion of the educational requirements in (D)(1) and (D)(2); and
 - b. Professional nurses applying for initial certification, 1st renewal, or subsequent renewals of certification through the Board, who have completed the educational requirements in (D)(2), shall provide proof of completion of the educational requirements of (D)(3).
- E. Upon completion of the educational requirements set forth in this Section, a school nurse shall present official transcripts or original certificates of contact hours to the Board which evidence that fact. Upon receipt of this evidence, the Board shall, by letter, provide verification of completion of the educational requirements by the school nurse to the Department of Education for purposes of certification.**

NOTICE OF FINAL RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 29. STRUCTURAL PEST CONTROL COMMISSION

PREAMBLE

1. **Sections Affected**
R4-29-108
Table 1
- Rulemaking Action**
New Section
New Table
2. **The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**
Authorizing statute: A.R.S. §§ 32-2304, 32-2332, 41-1073.
Implementing statute: A.R.S. §§ 41-1073, 41-1074, 41-1075, 41-1076.
3. **The effective date of the rules:**
December 2, 1998
4. **A list of all previous notices appearing in the Register addressing the adopted rule:**
Notice of Rulemaking Docket Opening: 4 A.A.R. 2298, August 28, 1998.
Notice of Proposed Rulemaking: 4 A.A.R. 2365, September 4, 1998.
5. **The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
Name: Shirley J. Conard
Address: Arizona Department of Agriculture
1688 West Adams
Phoenix, Arizona 85007

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Telephone: (602) 542-0962

Fax: (602) 542-0466

6. An explanation of the rule, including the agency's reasons for initiating the rule:

A.R.S. § 41-1072 et seq. requires agencies to adopt rules establishing time-frames for the granting or denial of licenses. A.R.S. § 41-1001(11) defines a "license" as *the whole or part of any agency permit, certificate, approval, registration, charter or similar form of permission required by law, but it does not include a license required solely for revenue purposes*. The rules must specify:

1. An "administrative completeness time-frame" (the time it takes the agency to determine if an application is complete);
2. A "substantive review time-frame" (the time it takes the agency to review the application and determine if the applicant meets the substantive criteria for licensure); and
3. An "overall time-frame" (a combination of the administrative completeness and substantive review time-frames.)

The law also requires an agency to notify applicants within the established time-frames, whether the application is complete (administrative completeness) and whether a license is being issued (substantive review).

According to legislation, time-frames are required only for licenses that require an application for processing. A.R.S. § 41-1073 prescribes that... *[n]o later than December 31, 1998, an agency that issues licenses shall have in place final rules establishing an overall time-frame during which the agency will either grant or deny each type of license that it issues*. The definition of "overall time-frame" is... *the number of days after receipt of an application for a license during which an agency determines whether to grant or deny a license*.

The language of A.R.S. § 41-1073(C) was carefully considered in reviewing and establishing the time-frames in Table 1. In particular, potential impact of delay on the regulated community is weighed against the resources of the agency. The time-frames allow for situations where the assigned person may not be available for licensing duties or when a considerable amount of licenses are received within a short period of time. The month of December is particularly busy for the Commission when 500 to 1000 licenses are received and processed. It is extremely rare, however, that the fully allotted time-frames will be used, particularly in cases when the administrative completeness review is all that is necessary.

If the applicant has been involved in a felony, a felony search is implemented and FBI fingerprinting is requested. In these cases, the approval or denial of the license falls to the Commission. The Commission will review the application at their monthly meeting. The substantive completeness review time-frame, however, provides an additional 30 days to allow for when the Commission is unable to meet.

An applicator or qualifying party may apply for inactive status by submitting a request to the Commission. This approval is generally made within 1 or 2 days and no time-frames are required.

The structural commercial applicator certification required in A.R.S. § 32-2332 is covered by the applicator certificate prescribed in A.R.S. § 32-2312. Any applicator who uses restricted use pesticides is certified in specific categories under the applicator certification.

Laws 1998, Ch. 142 effective August 21, 1998, (HB 2221) removed the authority and responsibility of licensing a pest control advisor (A.R.S. § 32-2318) and added the authority for registering an apprentice. (A.R.S. § 32-2315). This rulemaking reflects those changes.

7. A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material.

None.

8. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable.

9. The summary of the economic, small business, and consumer impact:

It is not anticipated that the adoption of this rule will have any impact on private industry, small business, or consumers. This rule action provides the codification of the time-frames currently observed by the Commission.

In the last 5 years, the following licenses or certificates have been issued:

Type of License	FY94	FY95	FY96	FY97	FY98
Applicator/New	1,002	1,157	1,263	1,259	1,324
Applicator/Renewal	3,692	4,755	4,279	5,501	5,832
Business/New	86	96	131	112	178
Business/Renewal	623	618	721	832	823

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Qualifying Party/New	88	120	126	85	151
Qualifying Party/Renewal	758	899	847	952	965
Registered Employee	2,196	1,115	2,041	2,230	2,221

A. Estimated Costs and Benefits to the Structural Pest Control Commission.

Currently, when incomplete applications are received, the licensing department sends the applicant a letter explaining what information is missing. This rule simply codifies the time-frames and procedures already observed by the Commission.

Using 9515 applicants, which represents FY 97 numbers of registered employees, certified applicators, business licensees and qualifying parties, the estimated unit cost for implementation of licensing time-frames is \$1.57. This is calculated as follows:

Salary	Training	Implementation
3 FTE Exam Tech II		
@ \$.063/hr. avg.	2 hrs. x 3 FTE x \$9.063=	\$54.37
1 FTE Network Specialist		
@ \$25.25/hr. avg.	2 hrs. x \$25.25=	\$50.50
		20 hrs. x \$25.25= \$505.00
Plus ERE @ 26%		<u>\$27.26</u>
		<u>\$131.30</u>
	Subtotals	\$132.13
		\$636.30
Operating Expenses		
9,515 applications x 1.5 avg. letters x		
\$.32 postage + \$.05 stationary =		<u>\$5280.64</u>
		Total
		\$6049.07

Unit cost = 9,515 / \$6049.07 = \$.6358 per application

This estimate is conservative, as estimates for new groups (apprentices) or new subdivisions of categories (wood-destroying organisms will be subdivided eventually) are not included in the 9,515 figure.

The Commission does not anticipate that penalties will be incurred for noncompliance with the overall time-frames.

B. Estimated Costs and Benefits to Political Subdivisions.

Political subdivisions of this state are not directly affected by the implementation and enforcement of this rulemaking.

C. Businesses Directly Affected By the Rulemaking.

Any businesses applying for a license will follow current procedures and practices and no additional cost or benefits shall occur. The proposed rules will provide an intangible benefit for these businesses by identifying the time-frames in which the Commission will approve or deny licenses.

D. Estimated Costs and Benefits to Private and Public Employment.

Private and public employment are not directly affected by the implementation and enforcement of this rulemaking.

E. Estimated Costs and Benefits to Consumers and the Public.

Consumers and the public shall follow current procedures and practices when applying for licenses and no additional cost or benefits shall occur. Consumers may also receive an intangible benefit by the identification of specific time limits for processing licenses.

F. Estimated Costs and Benefits to State Revenues.

This rulemaking will have no impact on state revenues.

10. A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):

At the request of the Office of the Secretary of State the following minor changes were made: Gender-specific terms were corrected and the number "five" was changed to an Arabic number.

The location of the time-frame matrix was changed from subsection (D) to Table 1.

At the request of G.R.R.C. staff, minor punctuation and grammatical changes were made. Subsection (B)(3), "may" was changed to "shall" and "unless the applicant requests an extension" was added after "file."

Before any person qualifies for an applicator certificate or qualifying party certificate, 1 or more examinations must be taken. R4-29-203(H) and R4-29-204(F) allow the applicator and qualifying party applicant 6 months to complete the examina-

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tions. Because the examination portion of the requirements is contained in the administrative completeness review, the response to completion request time-frames have been changed to reflect this 6-month completion allowance.

11. A summary of the principal comments and the agency response to them:

None.

12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

None.

13. Incorporations by reference and their location in the rules:

None.

14. Was this rule previously adopted as an emergency rule?

No.

15. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 29. STRUCTURAL PEST CONTROL COMMISSION

**ARTICLE 1. GENERAL AND ADMINISTRATIVE
PROVISIONS**

Section

R4-29-108. Licensing Time-frames

Table 1. Time-frames

**ARTICLE 1. GENERAL AND ADMINISTRATIVE
PROVISIONS**

R4-29-108. Licensing Time-frames

A. Overall time-frame. The Commission shall issue or deny a license within the overall time-frames listed in Table 1 after receipt of an application. The overall time-frame is the total of the number of days provided in the administrative completeness review and the substantive review.

B. Administrative completeness review.

1. The applicable administrative completeness review time-frame established in Table 1 begins on the date the Commission receives an application. The Commission shall notify the applicant in writing within the administrative completeness review time-frame whether the application is incomplete. The notice shall specify what information is missing. If the Commission does not provide notice to the applicant within the administrative completeness review time-frame, the Commission shall deem the application complete.
2. An applicant with an incomplete license application shall supply the missing information within the completion request period established in Table 1. The administrative completeness review time-frame is suspended from the postmark date of the notice of missing informa-

tion to the applicant until the date the Commission receives the information.

3. If an applicant fails to submit the missing information before expiration of the completion request period, the Commission shall close the file, unless the applicant requests an extension. An applicant whose file has been closed may apply for a license by submitting a new application.

C. Substantive review. The substantive review time-frame established in Table 1 begins after the application is administratively complete or at the end of the administrative completeness review period in Table 1, whichever occurs first.

1. If the Commission makes a comprehensive written request for additional information, the applicant shall submit the additional information identified by the request within the additional information period provided in Table 1. The substantive review time-frame is suspended from the postmark date of the request until the Commission receives the information. If the applicant fails to provide the information identified in the written request within the additional information time period in Table 1, the Commission shall consider the application withdrawn unless the applicant requests in writing the application be denied.
2. The Commission shall issue a written notice granting or denying a license within the substantive review time-frame. If the application is denied, the Commission shall send the applicant written notice explaining the reason for the denial with citations to supporting statutes or rules, the applicant's right to seek a fair hearing, and the time period in which the applicant may appeal the denial.

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Table 1. Time-frames (Calendar Days).

<u>License</u>	<u>Authorities</u>	<u>Administrative Completeness Review</u>	<u>Response to Completion Request</u>	<u>Substantive Completeness Review</u>	<u>Response to Additional Information</u>	<u>Overall Time-frame</u>
<u>Applicator Certificate New/Renewal/Temporary</u>	<u>A.R.S. § 32-2332</u> <u>A.R.S. § 32-2312</u> <u>R4-29-203</u> <u>R4-29-202</u>	<u>7</u>	<u>6 mos.</u>	<u>60</u>	<u>14</u>	<u>67</u>
<u>Business License New Renewal</u>	<u>A.R.S. § 32-2313</u> <u>R4-29-206</u> <u>R4-29-202</u>	<u>7</u> <u>7</u>	<u>7</u> <u>14</u>	<u>60</u> <u>5</u>	<u>14</u> <u>14</u>	<u>67</u> <u>12</u>
<u>Qualifying Party New Renewal Temporary</u>	<u>A.R.S. § 32-2332</u> <u>A.R.S. § 32-2314</u> <u>R4-29-208</u> <u>R4-29-202</u>	<u>7</u> <u>7</u> <u>7</u>	<u>6 mos.</u> <u>6 mos.</u> <u>7</u>	<u>60</u> <u>14</u> <u>60</u>	<u>14</u> <u>14</u> <u>14</u>	<u>67</u> <u>21</u> <u>67</u>
<u>Registered Employee</u>	<u>A.R.S. § 32-2315</u>	<u>14</u>	<u>14</u>	<u>60</u>	<u>14</u>	<u>74</u>

NOTICE OF FINAL RULEMAKING

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

PREAMBLE

1. Sections Affected

R7-2-205
R7-2-601
R7-2-602
R7-2-603
R7-2-604
R7-2-605
R7-2-606
R7-2-607
R7-2-608
R7-2-609
R7-2-610
R7-2-611
R7-2-612
R7-2-613
R7-2-614
R7-2-615
R7-2-616
R7-2-617
R7-2-810
R7-2-1002
R7-2-1033
Article 13
R7-2-1301
R7-2-1302
R7-2-1303
R7-2-1304
R7-2-1305

Rulemaking Action

Amend
Amend
Amend
Amend
Amend
Amend
Amend
Amend
Amend
New Section
New Section
New Section
New Section
New Section
New Section
New Section
New Section
New Section
New Section
Amend
New Section
New Section
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New Section

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R7-2-1306
R7-2-1307

New Section
New Section

2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute: A.R.S. § 15-203(A)

Implementing statute: A.R.S. §§ 15-203(B)(4) and (5); 15-203(A)(14); 15-213; and 15-802.01

3. Effective Date of the Rule:

December 3, 1998

4. A list of all previous notices appearing in the Register addressing the final rule:

R7-2-205

Notice of Rulemaking Docket Opening: 3 A.A.R. 2032, August 1, 1997.

Notice of Proposed Rulemaking: 3 A.A.R. 2840, October 17, 1997.

R7-2-601 - R7-2-617

Notice of Rulemaking Docket Opening: 3 A.A.R. 329, January 31, 1997.

Notice of Proposed Rulemaking: 3 A.A.R. 2840, October 17, 1997.

R7-2-810

Notice of Rulemaking Docket Opening: 3 A.A.R. 1663, June 13, 1997.

Notice of Proposed Rulemaking: 3 A.A.R. 2840, October 17, 1997.

R7-2-1002

Notice of Rulemaking Docket Opening: 3 A.A.R. 2032, August 1, 1997.

Notice of Proposed Rulemaking: 3 A.A.R. 2840, October 17, 1997.

R7-2-1033

Notice of Rulemaking Docket Opening: 3 A.A.R. 2032, August 1, 1997.

Notice of Proposed Rulemaking: 3 A.A.R. 2840, October 17, 1997.

R7-2-1301 - R7-2-1307

Notice of Rulemaking Docket Opening: 2 A.A.R. 4105, September 27, 1996.

Notice of Proposed Rulemaking: 3 A.A.R. 2840, October 17, 1997.

5. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:

Name: Corinne L. Velasquez, Executive Director

Address: State Board of Education
1535 West Jefferson, Room 418
Phoenix, Arizona 85007

Telephone: (602) 542-5057

Fax: (602) 542-3046

6. An explanation of the rule, including the agency's reasons for initiating the rule:

The State Board adopted an amendment, R7-2-205, to delete language related to administrative hearings on certification matters. The Board has recently adopted new rules, R7-2-701 et seq., relating to conducting hearings which will be applicable for matters related to certification.

R7-2-601 through R7-2-617 are amendments to existing rules and new rules related to the teacher certification program. These rules and amendments include the development and incorporation of a new assessment to replace the Arizona Teacher Proficiency Examination, new professional standards to replace the existing skill requirements, and new standards for professional preparation programs.

The State Board adopted a new rule, R7-2-810, in response to a mandate that the Board adopt rules related to home schooled students participating in interscholastic activities.

R7-2-1002 and R7-2-1033 relate to school district procurement. R7-2-1002 has been amended to reflect recent changes in the dollar amounts specified in the statute and R7-2-1033 is new language which establishes the Simplified School Construction Procurement Program.

R7-2-1301 through R7-2-1307 is new language which relates to disciplinary action against a certificate holder, and includes the complaint process, review process, revocation, surrender and actions related to conviction of criminal offenses. These rules were originally proposed as changes to R7-2-205 and R7-2-601, however, it was determined in the drafting process that this issue would be better understood if the rules were renumbered into separate sections.

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7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable.

8. A summary of the economic, small business and consumer impact statement:

It is not anticipated that the rule changes or new language related to R7-2-205, R7-2-1002, R7-2-

1033 or R7-2-1301 through R7-2-1307 will have any economic, small business or consumer impact.

As it relates to R7-2-601 through R7-2-617, a change in the teaching and administrative standards will cause in-state universities and colleges with teacher preparation programs to review and update their curriculum offerings. This could result in more or fewer classes offered in the colleges of education. The economic impact would vary from one university to another, but is not considered to be significant in any event.

In addition, the new language will allow alternative teacher preparation programs approved by the State Board of Education. These programs could be offered by districts, professional organizations, private businesses, charter schools and regional training centers. Approval of alternative programs would provide opportunities for new business in the state. If those programs are sufficiently different from traditional university programs, they could attract prospective teachers who would not otherwise have enrolled in such training. It is also possible that students who would have enrolled in a traditional university program might instead enroll in an alternative programs which would shift, rather than increase, the business of teacher training.

Additional assessment will be required for certification of teachers and administrators, which will most likely result in an additional cost to applicants for administration of the assessments. Requirements and additional training added to the Vocational Teaching Certificates and the Standard Adult Education will likely increase the tuition costs of an applicant or individual who seeks a vocational or adult education certificate.

In relationship to R7-2-810, the new rule allows districts to charge fees to home schooled students participating in interscholastic activities that are the same fees paid by students who are enrolled in the district. Since the participation of a home schooled student does not effect the total number of members that make up a team, is not anticipated that equipment costs will vary by allowing home schooled students to participate. Preliminary data does indicate, however, that districts are reimbursed for transportation of students to an athletic event. This reimbursement is in the form of a weight that is added to the current funding formula. Since home schooled students are not considered as "enrolled" in the school district, they are therefore not counted in the formula and the district will not receive transportation reimbursement for those students. It is believed however, that the reimbursed amount is minimal.

9. A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):

R7-2-205

Page 11, Paragraph E: Delete the "1." for consistency in numbering of paragraphs.

Page 12, Paragraph E: Add a "1" before the "2" for consistency in numbering of paragraphs.

Page 12, Paragraph E(1): After "years", add "except as set forth in (F) below" for clarification of intent.

R7-2-601

Page 16, deleted Paragraph (A): Change "one" to "1" to conform to current language.

Page 18, deleted Paragraph (C): Change "B" to "(B)" to conform to current language; add "subsection" before "(G)" to conform to current language.

Page 18, deleted Paragraph (D): Remove comma after "Complete"; add "fee or" before "fee(s)"; change "fee(s)" to "fees", to conform to current language.

Page 18, deleted Paragraph (E): Change "two" to "2" to conform to current language.

Page 20, deleted Paragraph (K): Change "one" to "1-"; and change "one" to "1" in 2 places, to conform to current language.

Page 20, deleted Paragraph (L): Change "one" to "1" in 2 places; change "years" to "year" in 2 places; change "six" to "6", to conform to current language.

Page 20, deleted Paragraph (M): Change "one" to "1" to conform with current language.

Page 20, deleted Paragraph (N): Change "six" to "6" to conform with current language.

Page 21, deleted Paragraph (N): Change "subparagraph" to "subsection" in 2 places; change "fifteen" to "15" in 2 places; change "one" to "1" in 2 places, to conform with current language.

Page 22, deleted Paragraph (O): Add a comma after "conventions" in deleted subsection (b); add "subsections (O)" in deleted subsection (2) to conform with current language.

Page 22, deleted Paragraph (P): Change "two" to "2" and "nine" to "9" to conform with current language.

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Page 23, deleted Paragraph (S)(3): Delete "and regulations" to conform with current language.

Page 23, deleted Paragraph (U): Change "one" to "1" to conform with current language.

Page 24, deleted Paragraph (V)(2): Add a comma after "issue"; change "paragraph" to "subsection"; delete "herein", to conform with current language.

Page 25, new Paragraph (4): Delete the word and definition "Development", to combine with another word and definition.

Page 25, new Paragraph (8): Add "development" after "Professional"; add "training to increase skills" after "means", for clarification and to combine 2 definitions and words into 1 term as used throughout the rules.

Page 26, new Paragraph (9): Change "9" to "8" for consistency of numbering of paragraphs.

R7-2-602

Page 26, Title: Change "teaching" to "Teaching" and "standards" to "Standards" to comply with rules related to rulemaking and capitalization of words in titles.

Page 26, deleted Paragraph (A): Change "one" to "1-" to conform with current language.

Page 26, deleted Paragraph (B): Delete "to"; add "shall" between "certificate" and "begin"; delete "Arizona"; change "three" to "3", to conform with current language.

Page 27, deleted Paragraph (B)(1): Change "four" to "4-" to conform with current language.

Page 27, deleted Paragraph (B)(2): Change "paragraph" to "subsection (B)"; change "one" to "1"; change "ten" to "10" in 2 places, to conform with current language.

Page 27, deleted Paragraph (B)(3): Change "paragraph" to "subsection (B)"; change "one" to "1", to conform with current language.

Page 28, deleted Paragraph (C): Change "six" to "6" to conform with current language.

Page 28, deleted Paragraph (C)(1): Add a comma after "development" to conform with current language.

Page 28, deleted Paragraph (C)(3): Add a comma after "finance" to conform with current language.

Page 28, new Paragraph (B): Add "and plans" after "designs" for clarification.

Page 28, new Paragraph (B)(1), (2) and (3): Add a semicolon at the end of each subsection to correct punctuation.

Page 29, new Paragraph (B)(4): Add "any" between "Addresses" and "physical"; change "or" to "and" between "cultural" and "community", for clarification of intent.

Page 29, new Paragraph (B)(4) through (13): Add a semicolon at the end of each subsection numbered as (4) through (11); add a semicolon and the word "and" at the end of subsection (12); add a period at the end of subsection (13) to correct punctuation.

Page 29, new Paragraph (C)(1) through (7): Add a semicolon at the end of each subsection numbered as (1) through (7) to correct punctuation.

Page 30, new Paragraph (C)(8) through (10): Add a semicolon at the end of subsection numbered as (8); add a semicolon and the word "and" at the end of subsection (9); add a period at the end of subsection (10) to correct punctuation.

Page 30, new Paragraph (D)(1): Add a semicolon at the end of the subsection to correct punctuation.

Page 30, new Paragraph (D)(2): Add "to students" after "Communicates" for clarification of intent; add a semicolon at the end of the subsection to correct punctuation.

Page 30, new Paragraph (D)(3) through (7): Add a semicolon at the end of each subsection to correct punctuation. R7-2-602(D)(8):

Page 30, new Paragraph (D)(8): After "learners", add "including multicultural sensitivity", for clarification of intent. Delete "including" and replace with "and demonstrate" for clarification of intent; add a semicolon at the end of the subsection to correct punctuation.

Page 30, new Paragraph (D)(9) through (12): Add a semicolon at the end of each subsection to correct punctuation.

Page 30, new Paragraph (D)(13): Delete "with" and replace with "which results in" for clarification of intent; add "for students" after "success" for clarification of intent; add a semicolon at the end of the subsection to correct punctuation.

Page 30, new Paragraph (D)(14): Add a semicolon and "and" at the end of the subsection to correct punctuation.

Page 31, new Paragraph (D)(15): Add a period at the end of the subsection to correct punctuation.

Page 31, new Paragraph (E)(1) through (5): Add a semicolon at the end of each subsection numbered as (1) through (3); add a semicolon and the word "and" at the end of subsection (4); add a period at the end of subsection (5) to correct punctuation.

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Page 31, new Paragraph (F): Add "to" between "and" and "transition"; add "or post-secondary education" after "work", for clarification of intent.

Page 31, new Paragraph (F)(1) through (3): Add a semicolon at the end of each subsection to correct punctuation.

Page 31, new Paragraph (F)(4): Change "or" after "leadership" to "and" for clarification of intent; add and semicolon and "and" at the end of the subsection to correct punctuation.

Page 31, new Paragraph (F)(5): Add a period at the end of the subsection to correct punctuation.

Page 32, new Paragraph (G)(1): Change "practice" to "practices"; change "its" to "the"; add "of those practices" between "influences" and "on", for clarification of intent. Add a semicolon at the end of the subsection to correct punctuation.

Page 32, new Paragraph (G)(2): Add "and continually adapts" after "Designs" for clarification of intent. Add a semicolon at the end of the subsection to correct punctuation.

Page 32, new Paragraph (G)(3): Delete "relevant" and change "consistent with" to "that implement" for clarification of intent. Add a semicolon at the end of the subsection to correct punctuation.

Page 32, new Paragraph (G)(4): Add a semicolon and "and" at the end of the subsection to correct punctuation.

Page 32, new Paragraph (G)(5): Add a period at the end of the subsection to correct punctuation.

Page 32, new Paragraph (H): Add "or areas" between "area" and "sufficient" and replace "in the" with "to meet", for clarification of intent.

Page 32, new Paragraph (H)(1): Add a semicolon at the end of the subsection to correct punctuation.

Page 32, new Paragraph (H)(1)(b): Replace "being taught" with "or areas he or she is being certified to teach" for clarification of intent.

Page 32, new Paragraph (H)(2) and (3): Add a semicolon at the end of each subsection to correct punctuation.

Page 33, new Paragraph (H)(4): Add a semicolon and "and" at the end of the subsection to correct punctuation.

Page 33, new Paragraph (H)(5): Add "area or" between "subject" and "areas" for clarification of intent. Add a period at the end of the subsection to correct punctuation.

Page 33, new Paragraph (I)(1): Add "or areas in which the teacher is seeking certification" after "area" for clarification of intent; add a semicolon at the end of the subsection to correct punctuation.

Page 33, new Paragraph (I)(2) and (3): Add a semicolon at the end of each subsection to correct punctuation.

Page 33, new Paragraph (I)(4): Change "theory" to "theories" for clarification of intent; add a semicolon at the end of the subsection to correct punctuation.

Page 33, new Paragraph (I)(5): Change "Areas of exceptionality in learning" to "Methods for recognizing and accommodating exceptional children" for clarification of intent. Add a semicolon at the end of the subsection to correct punctuation.

Page 33, new Paragraph (I)(6) and (7): Add a semicolon at the end of each subsection to correct punctuation.

Page 33, new Paragraph (I)(8): Delete "their" as unnecessary language; add a semicolon at the end of the subsection to correct punctuation.

Page 34, new Paragraph (I)(9) and (10): Add a semicolon at the end of each subsection to correct punctuation.

Page 34, new Paragraph (I)(11): Delete "Appropriate" as unnecessary language; change "services" to "Services" for consistency; replace "exceptional learning" with "the needs of exceptional children" and replace "them" with "the services and resources" for clarification of intent; and add a semicolon at the end of the subsection to correct punctuation.

Page 34, new Paragraph (I)(12) and (13): Add a semicolon and "and" at the end of subsection (12) and add a period at the end of subsection (13) to correct punctuation.

Page 34, new Paragraph (J): Add "and parents" after "professionals" and change "individual" to "individualized" for clarification of intent and consistency.

Page 34, new Paragraph (J)(1): Add a semicolon at the end of the subsection to correct punctuation.

Page 34, new Paragraph (J)(2): Add a comma and "rules" after "laws" for clarification of intent. Add a semicolon at the end of the subsection to correct punctuation.

Page 34, new Paragraph (J)(3) and (4): Add a semicolon at the end of each subsection to correct punctuation.

Page 35, new Paragraph (J)(5): Change "individual" to "individualized" and change "educational" to "education" for clarification and consistency in language. Add a semicolon and "and" at the end of the subsection to correct punctuation.

Page 35, new Paragraph (J)(6): Add a period at the end of the subsection to correct punctuation.

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R7-2-603

Page 35, Title: Change "administrative" to "Administrative" and change "standards" to "Standards" to comply with rules related to rulemaking and capitalization of words in titles.

Page 35, deleted Paragraph (A): Change "R7-2-6091" to "R7-2-601" to correct a typographical error.

Page 35, deleted Paragraph (B): Change "first" to "1st" in 2 places to conform to current language.

Page 35, deleted Paragraph (B)(1): Change "six" to "6" to conform to current language.

Page 36, deleted Paragraph (B)(1)(c): Change "eight" to "8" and change "two" to "2" to conform to current language.

Page 36, deleted Paragraph (C): Change "certificates" to "certificate" to conform to current language.

Page 36, deleted Paragraph (C)(1): Change "six" to "6" to conform to current language.

Page 37, deleted Paragraph (C)(1)(c): Change "eight" to "8"; change "two" to "2"; and change "three" to "3", to conform to current language.

Page 37, deleted Paragraph (D)(1): Change "six" to "6" to conform to current language.

Page 37, deleted Paragraph (D)(1)(a): Change "six" to "6" to conform to current language.

Page 38, deleted Paragraph (D)(1)((d): Change "eight" to "8" and change "two" to "2" to conform to current language.

Page 38, deleted Paragraph (D)(2): Change "six" to "6" to conform to current language.

Page 39, deleted Paragraph (D)(2)(b): Change "eight" to "8" and change "two" to "2" to conform to current language.

Page 39, deleted Paragraph (D)(3): Add a "-" between "certificate" and "grades" and change "six" to "6" to conform to current language.

Page 39, deleted Paragraph (D)(3)(a): Change the comma at the end of the subsection to a period to conform to current language.

Page 39, deleted Paragraph (D)(3)(b): Change "eight" to "8" and change "two" to "2" to conform to current language.

Page 39, deleted Paragraph (D)(4): Change "six" to "6" to conform to current language.

Page 40, deleted Paragraph (D)(4)(b): Change "eight" to "8" and change "two" to "2" to conform to current language.

Page 40, deleted Paragraph (D)(5): Change "six" to "6" to conform to current language.

Page 41, deleted Paragraph (D)(6): Change "five" to "5" to conform to current language.

Page 41, deleted Paragraph (D)(7): Change "six" to "6" to conform to current language.

Page 42, deleted Paragraph (D)(7)(c): Change "eight" to "8" and change "two" to "2" to conform to current language.

Page 42, deleted Paragraph (E): Change "six" to "6" to conform to current language.

Page 43, deleted Paragraph (E)(2)(e): Change "two" to "2" to conform to current language.

Page 43, deleted Paragraph (E)(3): Change "six" to "6" to conform to current language.

Page 44, deleted Paragraph (E)(3)(d): Change "two" to "2" to conform to current language.

Page 44, deleted Paragraph (E)(4): Change "six" to "6" to conform to current language.

Page 44, deleted Paragraph (E)(4)(d): Change "two" to "2"; add "kindergarten-12" after "pre" to conform to current language.

Page 44, deleted Paragraph (E)(5): Change "six" to "6" to conform to current language.

Page 44, deleted Paragraph (E)(5)(a): Change "1000" to "1,000" to conform to current language.

Page 45, deleted Paragraph (F): Change "six" to "6" in 2 places to conform to current language.

Page 45, deleted Paragraph (F)(2): Change "two" to "2" to conform to current language.

Page 45, deleted Paragraph (G): Change "one" to "1" to conform to current language.

Page 46, deleted Paragraph (G)(3)(b): Change "two" to "2" to conform to current language.

Page 46, deleted Paragraph (H): Change "one" to "1" to conform to current language.

Page 47, deleted Paragraph (H)(3): Change "two" to "2" to conform to current language.

Page 47, deleted Paragraph (H)(4): Change "one" to "1" to conform to current language.

Page 47, deleted Paragraph (I)(1): Change "two" to "2" to conform to current language.

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- Page 48, deleted Paragraph (J): Change "six" to "6" and change "one" to "1" to conform with current language.
- Page 48, deleted Paragraph (J)(3): Change "five" to "5" and add "or she" after "he" to conform with current language.
- Page 48, new Paragraph (A): Replace "described" with "as set forth" for clarification of intent.
- Page 49, new Paragraph (B)(1): Add a semicolon at the end of the subsection to correct punctuation.
- Page 49, new Paragraph (B)(2): Change "Develops, monitors, and assesses agreement with regard to the organization's mission" to "Promotes support for and fulfillment of the organization's mission" for clarification of intent. Add a semicolon at the end of the subsection to correct punctuation.
- Page 49, new Paragraph (B)(3) and (4): Add a semicolon to the end of each subsection to correct punctuation.
- Page 49, new Paragraph (B)(5): Add "in cooperation" between "goals" and "with" for clarification of intent. Add a semicolon at the end of the subsection to correct punctuation.
- Page 49, new Paragraph (B)(6): Add "faculty" between "student," and "and" for clarification of intent. Add a semicolon at the end of the subsection for clarification of intent.
- Page 49, new Paragraph (B)(7) and (8): Add a semicolon at the end of each subsection to correct punctuation.
- Page 49, new Paragraph (B)(9): Move to new Paragraph (E) as (17) for consistency and clarification of intent.
- Page 49, new Paragraph (B)(10): Renumber as (9) for consistency in numbering of subsections; change "create" to "design and continually update" for clarification of intent; and add a semicolon and "and" at the end of the subsection to correct punctuation.
- Page 49, new Paragraph (B)(11): Renumber as (10) for consistency in numbering of subsections; add "the organization's mission to" between "to" and "improve" for clarification of intent. Add a period at the end of the subsection to correct punctuation.
- Page 49, new Paragraph (C)(1): Delete "working within his or her administrative level that"; and change "define" to "defining", for clarification of intent and deletion of unnecessary language. Add a semicolon at the end of the subsection to correct punctuation.
- Page 50, new Paragraph (C)(2) through (4): Add a semicolon at the end of each subsection to correct punctuation.
- Page 50, new Paragraph (C)(5): Change "equity" to "equal educational opportunities" for clarification of intent. Add a semicolon to the end of the subsection to correct punctuation.
- Page 50, new Paragraph (C)(6): Add a semicolon to the end of the subsection to correct punctuation.
- Page 50, new Paragraph (C)(7): Change "dealing with" to "addressing" to formalize writing and use appropriate rule language. Add a semicolon and "and" at the end of the subsection to correct punctuation.
- Page 50, new Paragraph (C)(8): Add a period at the end of the subsection to correct punctuation.
- Page 50, new Paragraph (D): Add "and" after "parent"; delete the comma after "parent"; delete the comma after "community" and delete "and school", to delete unnecessary language and to clarify intent.
- Page 50, new Paragraph (D)(1) through (7): Add a semicolon at the end of the subsections numbered (1) through (5) to correct punctuation; add a semicolon and "and" at the end of subsection (6) to correct punctuation; add a period at the end of subsection (7) to correct punctuation.
- Page 51, new Paragraph (E)(1): Add "of" between "and" and "the" for clarification of intent. Add a semicolon at the end of the subsection to correct punctuation.
- Page 51, new Paragraph (E)(2) through (9): Add a semicolon at the end of each subsection to correct punctuation.
- Page 51, new Paragraph (E)(10): Change "for" after "supervision" to "of" to correct grammar. Add a semicolon at the end of the subsection to correct punctuation.
- Page 51, new Paragraph (E)(11): Add a semicolon at the end of the subsection to correct punctuation.
- Page 51, new Paragraph (E)(12): Add "potential" between "the" and "legal" for clarification of intent. Add a semicolon at the end of the subsection to correct punctuation.
- Page 51, new Paragraph (E)(13): Change "categorical programs" to "programs for which students may be categorically eligible" for clarification of intent. Add a semicolon to the end of the subsection to correct punctuation.
- Page 51, new Paragraph (E)(14): Change "Diagnoses and improves" to "Evaluates and promotes improved" for clarification of intent. Add a semicolon to the end of the subsection to correct punctuation.
- Page 52, new Paragraph (E)(15): Change "to address educational needs" to "available in the community" for clarification of intent. Add a semicolon to the end of the subsection to correct punctuation.
- Page 52, new Paragraph (E)(16): Change "Provides" to "Promotes" for clarification of intent and consistency. Add a semicolon and "and" to the end of the subsection to correct punctuation.

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Page 52, new Paragraph (E)(17): Add new paragraph (17) which was formerly (B)(9), which reads "Applies to daily practice the ethical conduct of the profession" for consistency. Add a semicolon at the end of the subsection to correct punctuation.

Page 52, new Paragraph (F): Change "sustains" to "supports" for clarification of intent.

Page 52, new Paragraph (F)(1) and (2): Add a semicolon at the end of each subsection to correct punctuation.

Page 52, new Paragraph (F)(3): Change "Describes" to "Plans" and delete "planning", for clarification of intent. Add a semicolon at the end of the subsection to correct punctuation.

Page 52, new Paragraph (F)(4): Add a semicolon at the end of the subsection to correct punctuation.

Page 52, new Paragraph (F)(5): Change "an understanding" to "knowledge" for consistency; change "to" to "of curriculum which" and change "promote" to "promotes" for clarification of intent. Add a semicolon to the end of the subsection to correct punctuation.

Page 52, new Paragraph (F)(6): Change "Utilizes" to "Demonstrates knowledge of" for consistency. Add a semicolon to the end of the subsection to correct punctuation.

Page 52, new Paragraph (F)(7): Change "Utilizes" to "Demonstrates knowledge of" for consistency. Add a semicolon to the end of the subsection to correct punctuation.

Page 52, new Paragraph (F)(8) and (9): Add a semicolon to the end of each subsection to correct punctuation.

Page 53, new Paragraph (F)(10): Add "various" between "and" and "learning" for clarification of intent. Add a semicolon at the end of the subsection to correct punctuation.

Page 53, new Paragraph (F)(11) and (12): Add a semicolon and "and" at the end of subsection (11) and add a period at the end of subsection (12) to correct punctuation.

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Page 55, new Paragraph (D): Add a comma after "provide" and add a comma after "publicly" to correct punctuation.

Page 55, new Paragraph (E): Delete "form provided by the Department". Add a new sentence after "certification" which reads, "Institutional recommendations shall be on a form provided by the Department" for clarification of intent.

Page 55, new Paragraph (F): Add "a" between "for" and "2"; change "years" to "year"; add the word "period" between "year" and "based", for clarification of intent.

Page 55, new Paragraph (F)(1)(a): Add "A" as the 1st word of the subsection and change "Listing" to "listing" for consistency in language used. Add a semicolon to the end of the subsection to correct punctuation.

Page 55, new Paragraph (F)(1)(b): Reletter as (g) for a more organized arrangement of subsections. Add "A" as the 1st word of the subsection and change "Listing" to "listing" for consistency in language used. Add "related to education" between "programs" and "not" for clarification of intent. Delete the sentence which reads "No further documentation of those programs is required." as unnecessary language.

Page 55, new Paragraph (F)(1)(c): Reletter as (b) for more organized arrangement of subsections and to accommodate the moving of (b) to (g). Add "A" as the 1st word of the subsection and change "Program" to "program" for consistency in language used. At the end of the subsection, after "program", add "for the prior year and the projected number of students by program for the next year" for clarification of intent. Add a semicolon at the end of the subsection to correct punctuation.

Page 55, new Paragraph (F)(1)(d): Reletter as (c) for a more organized arrangement of subsections and to accommodate the moving of (b) to (g). Add "The" as the 1st word of the subsection and change "Unit's" to "unit's" for consistency in language used. Add a semicolon at the end of the subsection to correct punctuation.

Page 56, new Paragraph (F)(1)(e), (f) and (g): Reletter as (d), (e) and (f) for more organized arrangement of subsections and to accommodate the moving of (b) to (g). Add a semicolon to the end of subsections (d) and (e), and add a semicolon and "and" to the end of subsection (f) to correct punctuation.

Page 56, new Paragraph (F)(2): Add "For" as the 1st word of the subsection and change "The" to "the" for consistency in language used. Change the period after "operation" to a comma, and change "The" to "the" to correct punctuation.

Page 56, new Paragraph (F)(2)(a): Add "A" as the 1st word of the subsection and change "Job" to "job" for consistency in language used. Delete "for dean, director, or chair" as unnecessary language.

Page 56, new Paragraph (F)(2)(b): Add "A" as the 1st word of the subsection and change "Chart" to "chart" for consistency in language used.

Page 56, new Paragraph (F)(3): Delete the sentence which reads, "The following documentation is required: codified policies and operating procedures of the unit, such as a policy manual or constitution and by-laws." as unnecessary language.

Page 56, new Paragraph (F)(4): Change "criteria" to "procedures"; add "all" after "to"; delete "professional education" before "programs" and add "leading to certification" after "programs" for clarification of intent.

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Page 56, new Paragraph (F)(4)(a): Reletter as (b) for more organized arrangement of subsections. Add "A" as the 1st word of the subsection and change "List" to "list" for consistency in language and format used.

Page 56, new Paragraph (F)(4)(b): Reletter as (a) for more organized arrangement of subsections. Add "The" as the 1st word of the subsection and change "Criteria" to "criteria" for consistency in language and format used. Delete "to professional education programs, which is publicly available" as unnecessary language.

Page 56, new Paragraph (F)(4)(c): Add "The" as the 1st word of the subsection and change "Plan" to "plan" for consistency in language and format used.

Page 56, new Paragraph (F)(4)(d): Add "A" as the 1st word of the subsection and change "Summary" to "summary" for consistency in language and format used. Delete "of" before "report" as unnecessary language.

Page 57, new Paragraph (F)(5): Add "its" before "scope"; add "the" before "quality" and change "graduates" to "program" to correct grammar and for clarification of intent.

Page 57, new Paragraph (F)(5)(a): Add "The" as the 1st word of the subsection and change "Policies" to "policies" for consistency in language and format used. Change "evaluation" to "evaluations" and delete "reviews" as unnecessary language.

Page 57, new Paragraph (F)(5)(b): Add "A" as the 1st word of the subsection and change "Summary" to "summary" for consistency in language and format used. Add "internal" between "of" and "evaluation"; change "evaluation" to "evaluations"; delete "reports" and delete "documenting internal program review" for clarification of intent and to make language clear and concise.

Page 57, new Paragraph (F)(5)(c): Add "A" as the 1st word of the subsection and change "Summary" to "summary" for consistency in language and format used. Add "external" between "of" and "evaluation"; change "evaluation" to "evaluations"; delete "reports"; add a comma after "years"; delete "by other individuals" and replace with "which"; change "including" to "includes"; change "study" to "studies"; and delete "and employers", for clarification of intent and to make language clear and concise.

Page 57, new Paragraph (F)(5)(d): Add "A" as the 1st word of the subsection and change "Summary" to "summary" for consistency in language and format used. Delete "recent" as unnecessary language.

Page 57, new Paragraph (F)(6): Change "competencies" to "competency"; delete "education" and replace with "each"; change "students" to "student"; replace "at exit from all programs" to "upon completion of the program", for clarification of intent.

Page 57, new Paragraph (F)(6)(a): Add "A" as the 1st word of the subsection and change "Listing" to "listing" for consistency in language and format used. Change "assessment" to "assessments"; delete "measures"; change "competence" to "competency"; change "professional education graduates" to "students", for clarification of intent and to make language clear and concise.

Page 57, new Paragraph (F)(6)(b): Add "A" as the 1st word of the subsection and change "Summary" to "summary"; delete "of"; and change "reports" to "report", for consistency in language and format used.

Page 57, new Paragraph (F)(7)(a): Add "A" as the 1st word of the subsection and change "Listing" to "listing" for consistency in language and format used. Add "the" between "including" and "number"; add "credit or clock" before "hours"; and add "required" after "hours" for clarification of intent.

Page 57, new Paragraph (F)(7)(b): Add "The" as the 1st word of the subsection and change "Course" to "course" for consistency in language and format used.

Page 58, new Paragraph (F)(7)(c): Add "A" as the 1st word of the subsection and change "Description" to "description" for consistency in language and format used.

Page 58, new Paragraph (G): Change "for 2 years" to "for a 2 year period" for consistency in language and clarification of intent.

Page 58, new Paragraph (G)(1): Change "those" to "all" for clarification of intent.

Page 58, new Paragraph (G)(1)(a): Add "A" as the 1st word of the subsection and change "Description" to "description" for consistency in language and format used. Add "any" between "of" and "changes"; delete "personnel, policy manual, or admissions criteria" and replace with "purpose, goals, full-time faculty, admissions criteria and policies or procedures,"; and delete "application for", for clarification of intent and to make language clear and concise.

Page 58, new Paragraph (G)(1)(b): Add "A" as the 1st word of the subsection and change "Summary" to "summary" for consistency in language and format used. Add "internal" between "of" and "evaluation"; change "evaluation" to "evaluations"; delete "reports"; and delete "documenting internal program review", for clarification of intent and consistency in language used.

Page 58, new Paragraph (G)(1)(c): Add "A" as the 1st word of the subsection and change "Summary" to "summary" for consistency in language and format used. Add "external" between "of" and "evaluation"; change "evaluation" to "evaluations"; delete "reports"; delete "by individuals outside the unit"; add "which" between "years" and "including"; change "including" to "includes"; and delete "and employers", for clarification of intent and consistency in language used.

Page 58, new Paragraph (G)(1)(d): Add "A" as the 1st word of the subsection and change "Summary" to "summary" for consistency in language and format used. After "evaluations", add "within the last 2 years" for clarification of intent.

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Page 58, new Paragraph ((G)(1)(e): Change subsection to read, "If any changes to the standards have been adopted since the program's last Board approval, a description of changes to the curriculum." for clarification of intent and to make language clear and concise.

Page 58, new Paragraph (G)(2): Add "That" as the 1st word of the subsection and change "At" to "at" for consistency in language and format used. Change "unit's professional preparation" to "program"; change "of" after "graduates" to "from", for grammar correction and clarification of intent.

Page 59, new Paragraph (G)(2): Take the sentence which begins "If at least 60%..." and ends with... approved by the Board" and make a new paragraph numbered as (G)(3), to make language clear and concise. Change the new paragraph (G)(3) to read, "If at least 60%, but less than 75% of the program graduates successfully completed the professional knowledge portion of the Arizona Teacher Proficiency Assessment on their 1st attempt, conditional approval of the program may be extended for 1 year upon approval by the Board of an improvement plan.", for clarification of intent and to make language clear and concise.

Page 59, new Paragraph (G)(2): Take the sentence which begins "When an applicant..." and ends with "... was successfully completed" and make a new paragraph numbered as (G)(4), to make language clear and concise.

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Page 66, deleted Paragraph (A)(7): Change "Education" to "education" to conform to current language.

Page 68, deleted Paragraph (B)(1)(e)(iv): Add "the" between "and" and "interrelationships" to conform to current language.

Page 71, deleted Paragraph (B)(2)(e): Add "viii. Demonstrates the ability to develop programming which promotes individual learning."; change "viii" to "ix"; change "ix" to "x"; change "x" to "xi"; and change "xi" to "xii" to conform to current language.

Page 83, deleted Paragraph (C)(3)(c)(i): Change "emotional" to "emotionally" to conform to current language.

Page 85, deleted Paragraph (C)(5)(e): Delete comma after "state" to conform to current language.

Page 85, deleted Paragraph (C)(5)(i): Add "and" between "science," and "social studies" to conform to current language.

Page 87, deleted Paragraph (C)(6)(d): Reletter "Demonstrates knowledge of the effects of room acoustics on amplification" as "v." to conform to current language.

Page 92, deleted Paragraph (D)(2)(b): Add a comma after "methods" to conform to current language.

Page 102, deleted Paragraph (E)(5): Change the period to a colon after "experience" to conform to current language.

Page 116, deleted Paragraph (J)(6)(h): Change "professional" to "professionals" to conform to current language.

Page 117, new Paragraph (assumed) (A): Change "Director of Certification" to "Superintendent of Public Instruction or the Superintendent's designee" to reflect the statutory requirement that the Superintendent carry out the policies set forth by the Board and to maintain the authority of the Superintendent to appoint Department personnel as necessary to carry out those policies.

Page 117, new Paragraph (A)(1): Add "The" as the 1st word of the subsection; change "Issuance" to "issuance"; and add "and" after the semicolon, for consistency in language and format used. Change "Board requirements" to "statutes and rules" for clarification of intent and to make language clear and concise.

Page 117, new Paragraph (A)(2): Delete the subsection as unnecessary language, as the collection of fees appears in a separate rule.

Page 117, new Paragraph (A)(3): Delete the subsection as unnecessary language, as the Superintendent is required by statute to carry out the policies set by the Board.

Page 117, new Paragraph (A)(4): Renumber the paragraph as (2) for consistency in numbering of subsections and to accommodate deletion of (2) and (3). Add "The" as the 1st word of the subsection and change "Approval" to "approval" for consistency in language and format used.

R7-2-606

Page 117, Title: Change "assessments" to "Assessments" for consistency and compliance with rulemaking in the capitalization of words in a title.

Page 118, deleted Paragraph (A)(3)(d): Change "six" to "6" and change "two" to "2", to conform to current language.

Page 118, deleted Paragraph (A)(3)(e): Change "two" to "2" to conform to current language.

Page 119, deleted Paragraph (A)(5): Change "three" to "3" to conform to current language.

Page 119, deleted Paragraph (A)(5)(b): Change "subparagraph" to "subsection" and delete "of this rule", to conform to current language.

Page 120, deleted Paragraph (A)(6)(b): Change "subparagraph" to "subsection" to conform to current language.

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- Page 120, deleted Paragraph (A)(6)(b)(ii)(1): Change "paragraph" to "subsection" to conform to current language.
- Page 121, deleted Paragraph (A)(6)(b)(iii)(1): Change "first" to "1st" and change "second" to "2nd" to conform to current language.
- Page 121, deleted Paragraph (A)(6)(b)(vi): Change "three" to "3" to conform to current language.
- Page 121, deleted Paragraph (A)(6)(b)(vi)(1): Change "subdivisions" to "subsections" to conform to current language.
- Page 121, deleted Paragraph (A)(6)(b)(vi)(2): Change "paragraph" to "subsection" to conform to current language.
- Page 122, deleted Paragraph (A)(6)(c): Change "two" to "2" to conform to current language.
- Page 122, deleted Paragraph (A)(7): Change "three" to "3" to conform to current language.
- Page 123, deleted Paragraph (A)(7)(b): Change "subparagraph" to "subsection" and change "three" to "3" to conform to current language.
- Page 123, deleted Paragraph (A)(8): Add "-12" after "K"; change "paragraph" to "subsection"; change "two" to "2" in 2 places; change "subdivisions" to "subsections"; and change "one" to "1" to conform to current language.
- Page 123, deleted Paragraph (A)(8)(b): Change "subdivisions" to "subsections" to conform to current language.
- Page 123, deleted Paragraph (A)(8)(b)(i)(1): Change "first" to "1st" to conform to current language.
- Page 124, deleted Paragraph (A)(8)(b)(i)(1): Change "second" to "2nd" to conform to current language.
- Page 124, deleted Paragraph (A)(8)(b)(v): Change "two" to "2" to conform to current language.
- Page 125, deleted Paragraph (A)(8)(c)(iii): Change "third" to "3rd" to conform to current language.
- Page 125, deleted Paragraph (A)(8)(c)(iv): Change "one" to "1" to conform to current language.
- Page 125, deleted Paragraph (A)(8)(c)(vii): Change "six" to "6" to conform to current language.
- Page 126, deleted Paragraph (A)(9)(b)(iii): Change "one" to "1" to conform to current language.
- Page 126, deleted Paragraph (A)(10): Change "three" to "3" to conform to current language.
- Page 126, deleted Paragraph (A)(10)(b): Change "six" to "6" to conform to current language.
- Page 127, deleted Paragraph (A)(11): Change "one" to "1" and change "two" to "2" to conform to current language.
- Page 127, deleted Paragraph (A)(11)(a): Change "nine" to "9" to conform to current language.
- Page 127, deleted Paragraph (A)(11)(b)(ii): Change "nine" to "9" to conform to current language.
- Page 128, deleted Paragraph (A)(11)(b)(iii): Change "six" to "6" and change "two" to "2" to conform to current language.
- Page 128, deleted Paragraph (A)(11)(b)(iv): Change "subparagraph" to "subsection" and change "six" to "6" to conform to current language.
- Page 128, deleted Paragraph (A)(12)(c)(i): Change "three" to "3" and change "one" to "1" to conform to current language.
- Page 128, deleted Paragraph (A)(12)(c)(ii): Change "three" to "3" to conform to current language.
- Page 129, deleted Paragraph (A)(12)(c)(iii): Change "three" to "3" to conform to current language.
- Page 130, deleted Paragraph (A)(13): Change "one" to "1" and change "three" to "3" to conform to current language.
- Page 130, deleted Paragraph (A)(13)(a)(ii): Change "second" to "2nd".
- Page 131, new Paragraph (A): Add "applicants for" between "for" and "teaching" and add "applicants for" between "for" and "administrative" for clarification of intent.
- Page 131, new Paragraph (B): Change "in the standards" to "as" for clarification of intent and deletion of unnecessary language. Delete sentence which reads, "The Department shall begin this assessment before September 1, 1998." to delete unnecessary language.
- Page 131, new Paragraph (C): Change "in the standards" to "as" for clarification of intent and deletion of unnecessary language. Delete sentence which reads, "The Department shall begin this assessment before September 1, 1998." to delete unnecessary language.
- Page 131, new Paragraph (D): Change "in the standards" to "as" for clarification of intent and deletion of unnecessary language. Delete sentence which reads, "The Department shall begin this assessment before September 1, 1999." to delete unnecessary language.

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Page 132, new Paragraph (E): Change "in the standards" to "as" for clarification of intent and deletion of unnecessary language. Delete sentence which reads, "The Department shall begin this assessment before January 1, 1999." to delete unnecessary language.

Page 132, new Paragraph (F): Add the sentence, "The passing score for each assessment shall be reviewed by the Board at least every 3 years." for clarification of intent.

Page 132, new Paragraph (G): Change "areas" to "knowledge" and change "will" to "shall" for clarification of intent.

Page 132, new Paragraph (H): Delete "beginning" as unnecessary language.

Page 132, new Paragraph (H)(1): Delete "beginning" as unnecessary language. Add "equivalent of the" between "the" and "time" for clarification of intent.

Page 132, new Paragraph (H)(2): Delete "beginning" as unnecessary language.

Page 133, new Paragraph (I)(3): Change "Meeting" to "Completion of" and add "which are" between "certificate" and "in" for clarification of intent.

Page 133, new Paragraphs (J) and (K): Delete paragraphs as unnecessary language.

R7-2-607

Page 133, Title: Change "certification" to "Certification" and change "provisions" to "Provisions" to conform to rulemaking related to capitalization of words in titles.

Page 133, deleted Paragraph (assumed)(A)(1): Change "two" to "2" to conform to current language.

Page 134, deleted Paragraph (A)(2): Delete "technological"; change "six" to "6", to conform to current language.

Page 134, deleted Paragraph (A)(2)(b): Change "five" to "5"; change "three" to "3", to conform to current language.

Page 134, deleted Paragraph (A)(3): Change "two" to "2" in 2 places; change "one" to "1", to conform to current language.

Page 135, deleted Paragraph (A)(4): Change "six" to "6" to conform to current language.

Page 135, deleted Paragraph (A)(5): Change "two" to "2" in 2 places; change "one" to "1", to conform to current language.

Page 135, deleted Paragraph (A)(5)(a)(ii): Change "six" to "6" to conform to current language.

Page 136, deleted Paragraph (A)(6): Change "six" to "6" to conform to current language.

Page 136, deleted Paragraph (A)(6)(c): Change "six" to "6" to conform to current language.

Page 136, deleted Paragraph (A)(7): Change "two" to "2" to conform to current language.

Page 136, deleted Paragraph (A)(7)(b): Change "one" to "1" to conform to current language.

Page 137, deleted Paragraph (A)(7)(c): Change "five" to "5" and "six" to "6" to conform to current language.

Page 137, deleted Paragraph (A)(8): Change "six" to "6"; change "one" to "1"; and change "two" to "2", to conform to current language.

Page 137, deleted Paragraph (A)(8)(b)(i): Change "six" to "6" to conform to current language.

Page 138, deleted Paragraph (A)(9): Change "two" to "2" to conform to current language.

Page 138, deleted Paragraph (A)(9)(d): Change "six" to "6" to conform to current language.

Page 138, deleted Paragraph (A)(10): Change "six" to "6" to conform to current language.

Page 138, deleted Paragraph (A)(11): Change "two" to "2" in 2 places and change "one" to "1", to conform to current language.

Page 139, deleted Paragraph (A)(11)(b): Add a colon after "B" to conform to current language.

Page 139, deleted Paragraph (A)(11)(b)(i): Add a semicolon after "taught" to conform to current language.

Page 139, deleted Paragraph (A)(12): Change "six" to "6" to conform to current language.

Page 139, deleted Paragraph (A)(13): Add a comma after "agriculture" and change "one" to "1", to conform to current language.

Page 139, new Paragraph (A): Add "The" as the 1st word of the subsection and change "Evaluation" to "evaluation" for consistency in language and format used. Add "to determine qualification" between "evaluation" and "for"; add "an institutional recommendation or" between "until" and "an"; and delete the comma and add "and" between "certification" and "official", for clarification of intent and to make clear and concise.

Page 140, new Paragraph (B): Change "valid" to "effective" in 2 places; change "of" to "the" in 2 places; and add "is completed" after "evaluation" in 2 places, for clarification of intent and consistency in language used.

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Page 140, new Paragraph (D): Add "a maximum of" between "have" and "2" for clarification of intent.

Page 140, new Paragraph (E): Change "All" to "Only those"; delete "shall be"; and after "institution" add, "shall be considered to satisfy the requirements for certification", for clarification of intent and to make clear and concise. Reletter the sentence beginning with "Professional preparation programs..." and ending with "teacher preparation program" as a new Paragraph (F) for clarification and to make clear and concise.

Page 140, new Paragraph (F): Reletter as paragraph (G) and change to read, "Only those courses in which the applicant received a passing grade or credit shall be considered to satisfy the requirements for certification." for clarification of intent and to accommodate the addition of a new paragraph (F).

Page 140, new Paragraph (G): Reletter as paragraph (K) to accommodate the addition of a new paragraph (F) and to organize subsections more appropriately. Delete "at the same grade level" as unnecessary language.

Page 140, new Paragraph (H): Add "to have been issued" between "considered" and "in" for clarification of intent.

Page 141, new Paragraph (J): Change "a Board-required academic subject pursuant to R7-2-302" to read "an academic subject required pursuant to R7-2-302" for clarification of intent. Add "area or" between "subject" and "areas"; and move the sentence beginning with "The subject area or areas..." and ending with "... specified on the certificate." to the end of the subsection as the last sentence, for clarification of intent and to make clear and concise. Change "an approved area" to "demonstrated proficiency" for clarification of intent.

Page 141, deleted Paragraph (J)(1) through (7): Delete to conform to current language.

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Page 142, deleted Paragraph (A)(1): Add "non-teaching professional and specialized service certificates;" between "certificates;" and "school nurse" to conform to current language.

Page 142, new Paragraph (B)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 142, new Paragraph (B)(2)(a): Add a semicolon at the end of the subsection to correct punctuation.

Page 143, new Paragraph (B)(2)(b)(i): Add a semicolon and "or" at the end of the subsection for consistency in language and format used and to correct punctuation.

Page 143, new Paragraph (B)(2)(b)(ii): Change "standards" to "knowledge and skills"; change "may substitute" to "may be substituted"; and add a semicolon and "or" at the end of the subsection for clarification of intent, consistency in language and format used and to correct punctuation.

Page 143, new Paragraph (B)(2)(b)(iii): Add a period at the end of the subsection to correct punctuation.

Page 143, new Paragraph (B)(2)(c): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used. Add a semicolon and "and" at the end of the subsection to correct punctuation.

Page 143, new Paragraph (B)(2)(d): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used. Add a period at the end of the subsection to correct punctuation.

Page 143, new Paragraph (C)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 143, new Paragraph (C)(2)(a): Change "Qualify" to "Qualification" for correction of grammar and clarification.

Page 143, new Paragraph (C)(2)(b): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used.

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Page 144, new Paragraph (B)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 144, new Paragraph (B)(2)(a): Add a semicolon to the end of the subsection to correct punctuation.

Page 144, new Paragraph (B)(2)(b)(i): Add a semicolon and "or" at the end of the subsection for clarification and to correct punctuation.

Page 144, new Paragraph (B)(2)(b)(ii): Change "standards" to "knowledge and skills" for clarification of intent; change "may substitute" to "may be substituted" for clarification of intent; and add a semicolon and "or" at the end of the subsection for clarification and to correct punctuation.

Page 144, new Paragraph (B)(2)(c): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used. Add a semicolon and "and" to the end of the subsection for clarification and to correct punctuation.

Page 144, new Paragraph (B)(2)(d): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used. Add a period to the end of the subsection for clarification and to correct punctuation.

Page 144, new Paragraph (C)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 144, new Paragraph (C)(2)(a): Change "Qualify" to "Qualification" for clarification of intent and to correct grammar.

Page 144, new Paragraph (C)(2)(b): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used.

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Page 145, new Paragraph (B): Change "described" to "defined" for clarification of intent.

Page 145, new Paragraph (C)(2): Add "specific" between "disability," and "learning" for clarification of intent. Change "and physical/health impairment" to "orthopedic impairments, and other health impairments" for consistency with statutory language.

Page 145, new Paragraph (C)(3): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 145, new Paragraph (C)(3)(a): Add a semicolon to the end of the subsection to correct punctuation.

Page 145, new Paragraph (C)(3)(b)(i): Change "learning disability" to "specific learning disability" and change "physical/health impairment" to "orthopedic impairments, and other health impairments" for consistency with statutory language. Add a semicolon and "or" to the end of the subsection for clarification and to correct punctuation.

Page 145, new Paragraph (C)(3)(b)(ii): Change "4" to "5" to correct error in the number of disability areas.

Page 146, new Paragraph (C)(3)(b)(ii): Change "learning disability" to "specific learning disability" and change "physical/health impairment" to "orthopedic impairments, and other health impairments" for consistency with statutory language. Change "may substitute" to "may be substituted" for clarification of intent and correction of grammar. Add a semicolon and "or" to the end of the subsection for clarification and to correct punctuation.

Page 146, new Paragraph (C)(3)(b)(iii): Add a period at the end of the subsection to correct punctuation.

Page 146, new Paragraph (C)(3)(c): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used. Add a semicolon and "and" at the end of the subsection for clarification and to correct punctuation.

Page 146, new Paragraph (C)(3)(d): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used. Add a period at the end of the subsection to correct punctuation.

Page 146, new Paragraph (D)(2): Change "learning disability" to "specific learning disability" and change "physical/health impairment" to "orthopedic impairments, and other health impairments" for consistency with statutory language.

Page 146, new Paragraph (D)(3): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 146, new Paragraph (D)(3)(a): Change "Qualify" to "Qualification" for clarification of intent and consistency in language and format used.

Page 146, new Paragraph (D)(3)(b): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used.

Page 147, new Paragraph (E)(2): Change "learning disability" to "specific learning disability" and change "physical/health impairment" to "orthopedic impairments, and other health impairments" for consistency with statutory language.

Page 147, new Paragraph (E)(3): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 147, new Paragraph (E)(3)(a): Add a semicolon at the end of the subsection to correct punctuation.

Page 147, new Paragraph (E)(3)(b)(i): Add a semicolon and "or" at the end of the subsection to correct punctuation.

Page 147, new Paragraph (E)(3)(b)(ii): Change "standards" to "knowledge and skills"; change "may substitute" to "may be substituted", for clarification and consistency with language used. Add a semicolon and "or" to the end of the subsection for clarification of intent and to correct punctuation.

Page 147, new Paragraph (E)(3)(b)(iii): Add a period at the end of the subsection to correct punctuation.

Page 147, new Paragraph (E)(3)(c): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used. Add a semicolon and "and" at the end of the subsection for clarification and to correct punctuation.

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Page 147, new Paragraph (E)(3)(d): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used. Add a period at the end of the subsection for clarification and to correct punctuation.

Page 148, new Paragraph (F)(2): Change "learning disability" to "specific learning disability" and change "physical/health impairment" to "orthopedic impairments, and other health impairments" for consistency with statutory language.

Page 148, new Paragraph (F)(3): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 148, new Paragraph (F)(3)(a): Change "Qualify" to "Qualification" for clarification of intent and consistency in language and format used.

Page 148, new Paragraph (F)(3)(b): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used.

Page 148, new Paragraph (G)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 148, new Paragraph (G)(2)(a): Add a semicolon at the end of the subsection to correct punctuation.

Page 148, new Paragraph (G)(2)(b)(i): Add a semicolon and "or" at the end of the subsection to correct punctuation.

Page 148, new Paragraph (G)(2)(b)(ii): Change "standards" to "knowledge and skills" for clarification and consistency with language used.

Page 149, new Paragraph (G)(2)(b)(ii): Change "may substitute" to "may be substituted" for clarification of intent and consistency with language used. Add a semicolon and "or" at the end of the subsection for clarification of intent and to correct punctuation.

Page 149, new Paragraph (G)(2)(b)(iii): Add a period to the end of the subsection to correct punctuation.

Page 149, new Paragraph (G)(2)(c): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used. Add a semicolon and "and" at the end of the subsection for clarification and to correct punctuation.

Page 149, new Paragraph (G)(2)(d): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used. Add a period at the end of the subsection for clarification and to correct punctuation.

Page 149, new Paragraph (H)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 149, new Paragraph (H)(2)(a): Change "Qualify" to "Qualification" for clarification of intent and consistency in language and format used.

Page 149, new Paragraph (H)(2)(b): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used.

Page 149, new Paragraph (I)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 149, new Paragraph (I)(2)(a): Add a semicolon at the end of the subsection to correct punctuation.

Page 150, new Paragraph (I)(2)(b)(i): Add a semicolon and "or" at the end of the subsection to correct punctuation.

Page 150, new Paragraph (I)(2)(b)(ii): Change "standards" to "knowledge and skills" for clarification and consistency with language used. Change "courses in" to "of instruction of students with" for clarification of intent. Change "may substitute" to "may be substituted" for consistency with language used and clarification. Add a semicolon and "or" at the end of the subsection for clarification and to correct punctuation.

Page 150, new Paragraph (I)(2)(b)(iii): Add a period to the end of the subsection to correct punctuation.

Page 150, new Paragraph (I)(2)(c): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used. Add a semicolon and "and" at the end of the subsection for clarification and to correct punctuation.

Page 150, new Paragraph (I)(2)(d): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used. Add a period at the end of the subsection for clarification and to correct punctuation.

Page 150, new Paragraph (J)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 150, new Paragraph (J)(2)(a): Change "Qualify" to "Qualification" for clarification of intent and consistency in language and format used.

Page 151, new Paragraph (K)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

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Page 151, new Paragraph (K)(2)(a): Add a semicolon at the end of the subsection to correct punctuation.

Page 151, new Paragraph (K)(2)(b)(i): Add a semicolon and "or" at the end of the subsection to correct punctuation.

Page 151, new Paragraph (K)(2)(b)(ii): Change "standards" to "knowledge and skills" for clarification and consistency with language used. Change "courses in" to "of instruction of students with" for clarification of intent. Change "may substitute" to "may be substituted" for consistency with language used and clarification. Add a semicolon and "or" at the end of the subsection for clarification and to correct punctuation.

Page 151, new Paragraph (K)(2)(b)(iii): Add a period to the end of the subsection to correct punctuation.

Page 151, new Paragraph (K)(2)(c): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used. Add a semicolon and "and" at the end of the subsection for clarification and to correct punctuation.

Page 151, new Paragraph (K)(2)(d): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used. Add a period at the end of the subsection for clarification and to correct punctuation.

Page 152, new Paragraph (L)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 152, new Paragraph (L)(2)(a): Change "Qualify" to "Qualification" for clarification of intent and consistency in language and format used.

Page 152, new Paragraph (L)(2)(b): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used.

Page 152, new Paragraph (M)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 152, new Paragraph (M)(2)(a): Add a semicolon at the end of the subsection to correct punctuation.

Page 152, new Paragraph (M)(2)(b)(i): Add a semicolon and "or" at the end of the subsection to correct punctuation.

Page 152, new Paragraph (M)(2)(b)(ii): Change "standards" to "knowledge and skills" for clarification and consistency with language used. Change "courses in" to "of instruction of students with" for clarification of intent. Add "providing" between "in" and "speech" and add "services" after "impairment" for clarification of intent.

Page 153, new Paragraph (M)(2)(b)(ii): Add a semicolon and "or" at the end of the subsection for clarification and to correct punctuation.

Page 153, new Paragraph (M)(2)(b)(iii): Add a period to the end of the subsection to correct punctuation.

Page 153, new Paragraph (M)(2)(c): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used. Add a semicolon and "and" at the end of the subsection for clarification and to correct punctuation.

Page 153, new Paragraph (M)(2)(d): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used. Add a period at the end of the subsection for clarification and to correct punctuation.

Page 153, new Paragraph (N)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 153, new Paragraph (N)(2)(a): Change "Qualify" to "Qualification" for clarification of intent and consistency in language and format used.

Page 153, new Paragraph (N)(2)(b): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used.

Page 153, new Paragraph (O)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 153, new Paragraph (O)(2)(a): Add a semicolon at the end of the subsection to correct punctuation.

Page 153, new Paragraph (O)(2)(b)(i): Add a semicolon and "or" at the end of the subsection to correct punctuation.

Page 154, new Paragraph (O)(2)(b)(ii): Change "may substitute" to "may be substituted" for consistency in language used and clarification. Change the period at the end of the subsection to a semicolon and add "or" for consistency with language used, format used, and to correct punctuation.

Page 154, new Paragraph (O)(2)(b)(iii): Add a period at the end of the subsection to correct punctuation.

Page 154, new Paragraph (O)(2)(c): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used. Add a semicolon and "and" at the end of the subsection for clarification and to correct punctuation.

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Page 154, new Paragraph (O)(2)(d): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used. Add a period at the end of the subsection for clarification and to correct punctuation.

Page 154, new Paragraph (P)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 153, new Paragraph (P)(2)(a): Change "Qualify" to "Qualification" for clarification of intent and consistency in language and format used.

Page 153, new Paragraph (P)(2)(b): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used.

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Page 155, new Paragraph (B)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 155, new Paragraph (C)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 155, new Paragraph (C)(2)(a): Change "Qualify" to "Qualification" for clarification of intent and consistency in language and format used.

Page 155, new Paragraph (C)(2)(b): Add a semicolons after "science", "soils", "engineering", "economics", and "agricultural economics", to correct punctuation.

156, new Paragraph (C)(2)(b): Add "verified" between "of" and "experience" for clarification of intent.

Page 156, new Paragraph (D)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 156, new Paragraph (E)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 156, new Paragraph (E)(2)(a): Change "Qualify" to "Qualification" for clarification of intent and consistency in language and format used.

Page 157, new Paragraph (F)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 157, new Paragraph (G)(2)(a)(i): Change "Qualify" to "Qualification" for clarification of intent and consistency in language and format used.

Page 15H, new Paragraph (H)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 158, new Paragraph (I)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 159, new Paragraph (J)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 159, new Paragraph (J)(3): Move as the last sentence of (J)(2)(b), and renumber new paragraph (J)(4) as (J)(3), for clarification on intent.

Page 159, new Paragraph (K)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 159, new Paragraph (K)(2)(a): Change "Qualify" to "Qualification" for clarification of intent and consistency in language and format used.

Page 160, new Paragraph (L)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 160, new Paragraph (M)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 160, new Paragraph (M)(2)(a): Change "Qualify" to "Qualification" for clarification of intent and consistency in language and format used.

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Page 161, new Paragraph (B)(2): Change "substitute teacher" to "person holding only a substitute certificate" for clarification of intent.

Page 161, new Paragraph (B)(3): After "teaching" add "or administrator" to allow individuals

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who hold valid administrator certificates to also substitute.

Page 161, new Paragraph (B)(4): Change "substitute teacher" to "person holding only a substitute certificate" for clarification of intent.

Page 161, new Paragraph (C)(1): Add "the following" before "July 1" for clarification of intent.

Page 161, new Paragraph (C)(3): Change "An emergency substitute teacher" to "A person holding only an emergency substitute certificate" for clarification of intent.

Page 161, new Paragraph (C)(4): Add "of an emergency substitute certificate" after "holder" for clarification of intent.

Page 162, new Paragraph (C)(5): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 162, new Paragraph (C)(6): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 162, new Paragraph (C)(6)(a): Between "Certificate." and "Individuals", add the paragraph formerly numbered as (C)(6)(d) for clarification of intent. In the new paragraph, change "may substitute" to "may be substituted" for consistency in language used and clarification of intent.

Page 163, new Paragraph (D)(1): Add "the following" before "July 1" for clarification of intent.

Page 163, new Paragraph (D)(4): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 163, new Paragraph (D)(5): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 164, new Paragraph (E)(3): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 164, new Paragraph (E)(3)(b): Add "A" as the 1st word of the subsection and change "Recommendation" to "recommendation" for consistency in language and format used.

Page 164, new Paragraph (E)(4): Add "certified" between "and" and "school" for clarification of intent.

Page 165, new Paragraph (F)(3)(b): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 165, new Paragraph (F)(3)(b)(ii): Add "described in R-2-617(B)," between "program" and "since", for clarification of intent.

Page 165, new Paragraph (F)(3)(c): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 165, new Paragraph (G)(3): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 166, new Paragraph (H)(3): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

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Page 166, new Paragraph (C): Change "Optional endorsements" to "Endorsements which are optional as specified herein" for clarification of intent.

Page 167, new Paragraph (D)(3): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 167, new Paragraph (D)(3)(a): Change "A" to "An" and delete "valid", as unnecessary language and consistency in format and language used.

Page 167, new Paragraph (D)(3)(d)(ii): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used. Change "one" to "an assessment" and change "approved" to "adopted" for clarification of intent.

Page 167, new Paragraph (E)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 167, new Paragraph (E)(2)(a): Change "A" to "An" and delete "valid", as unnecessary language and consistency in format and language used.

Page 167, new Paragraph (F)(1): Change "similar titles" to "in a similar position" for clarification of intent.

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Page 168, new Paragraph (F)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 168, new Paragraph (F)(2)(a): Change "A" to "An" and delete "valid", as unnecessary language and consistency in format and language used.

Page 168, new Paragraph (G)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 168, new Paragraph (G)(2)(a): Change "A" to "An" and delete "valid", as unnecessary language and consistency in format and language used.

Page 168, new Paragraph (H)(1): Add "provisional" between "A" and "bilingual" and add "or a bilingual endorsement" between "endorsement" and "is" for clarification of intent.

Page 168, new Paragraph (H)(2): Change "Provisional Bilingual Endorsement" to "provisional bilingual endorsement" for consistency in language and format used. Add "The" before "Requirements" and change "Requirements" to "requirements" for consistency in language and format used.

Page 168, new Paragraph (H)(2)(a): Change "A" to "An" and delete "valid", as unnecessary language and for consistency in format and language used. Delete the "or" between "secondary," and "special" as unnecessary language.

Page 169, new Paragraph (H)(2)(b): Delete "spoken"; add "or sign language" after "English" for clarification of intent.

Page 169, new Paragraph (H)(3): Change "Bilingual Endorsement" to "bilingual endorsement" for consistency in language and format used. Add "also" between "is" and "authorized" for clarification of intent. Add "The" before "Requirements" and change "Requirements" to "requirements" and renumber as (H)(4), for consistency in language and format used.

Page 169, new Paragraph (H)(3)(a): Delete the "or" between "secondary," and "special" as unnecessary language. Add a semicolon at the end of the subsection to correct punctuation.

Page 169, new Paragraph (H)(3)(b): Delete "an approved program in bilingual education" to "a bilingual education program from an accredited institution" for clarification of intent.

Page 169, new Paragraph (H)(3)(b)(i) through (v): Add a semicolon at end of each subsection to correct punctuation.

Page 170, new Paragraph (H)(3)(b)(vi): Add a semicolon and "and" at end of the subsection to correct punctuation.

Page 170, new Paragraph (H)(3)(b)(vii): Delete "handicapped" and add "with disabilities" after "children" for consistency in language used.

Page 170, new Paragraph (H)(3)(c): Change "successful" to "verified" and delete "verified by the district superintendent" for clarification of intent. Add a semicolon and "and" at the end of the subsection to correct punctuation. Reletter as (H)(3)(d) for better organization of paragraphs.

Page 170, new Paragraph (H)(3)(d): Reletter as (H)(3)(c) for better organization of paragraphs.

Page 170, new Paragraph (H)(3)(e): Reletter as (H)(3)(c) for better organization of paragraphs. Change "may substitute" to "may be substituted" for consistency in language used. Add a semicolon and "and" at the end of the subsection to correct punctuation.

Page 170, new Paragraph (H)(4): Change "A" to "An" and delete "valid", as unnecessary language and consistency in format and language used.

Page 170, new Paragraph (I)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 171, new Paragraph (I)(2)(a): Delete the "or" between "secondary," and "special" as unnecessary language. Change "A" to "An" and delete "valid", as unnecessary language and consistency in format and language used.

Page 171, new Paragraph (I)(3): Change "Endorsement" to "endorsement" for consistency in language and format used.

Page 171, new Paragraph (I)(3)(a): Change "A" to "An" and delete "valid", as unnecessary language and consistency in format and language used. Delete the "or" between "secondary," and "special" as unnecessary language. Add a semicolon at the end of the subsection to correct punctuation.

Page 171, new Paragraph (I)(3)(b): Change "a program in ESL" to "an ESL education program from an accredited institution" for clarification of intent.

Page 171, new Paragraph (I)(3)(b)(i) through (vi): Add a semicolon to the end of each subsection lettered as (i) through (iv); add a semicolon and "and" at the end of the subsection lettered as "v"; and add a period at the end of the subsection lettered as "vi", to correct punctuation.

Page 171, new Paragraph (I)(3)(b)(i): Change "1998" to "1999" to correct a typographical error. Change "may substitute" to "may be substituted" for consistency in language used.

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Page 171, new Paragraph (I)(3)(c): Change "successful" to "verified" for clarification of intent and consistency in language used.

Page 172, new Paragraph (I)(3)(d): Replace the comma with a period after "language". Add "Second language learning experience" before "may" for clarification of intent.

Page 172, new Paragraph (I)(3)(d)(vi): Delete "Verification of"; change "proficiency" to "Proficiency"; change "signed" to "verified" for clarification of intent.

Page 172, new Paragraph (I)(3)(e): Change "may substitute" to "may be substituted" for consistency in language used.

Page 173, new Paragraph (J)(2): Add "The" before "Requirements" and change "Requirements" to "requirements" for consistency in language and format used. Change "a" to "an" and delete "valid", as unnecessary language and consistency in format and language used.

Page 173, new Paragraph (J)(2)(a): Add "verified" between "of" and "teaching" and delete "verified by the district" for clarification of intent and to delete unnecessary language. Add "or" at the end of the subsection for clarification of intent.

Page 173, new Paragraph (J)(2)(b): Add "verified" between "of" and "in-service" and delete "verified by the district" for clarification of intent and to delete unnecessary language.

Page 173, new Paragraph (J)(3): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 173, new Paragraph (J)(3)(a): Change "A" to "An" and delete "valid", as unnecessary language and consistency in format and language used.

Page 173, new Paragraph (J)(3)(c)(i): Add "verified" between "of" and "teaching" and delete "verified by the district" for clarification of intent and to delete unnecessary language. Add a semicolon and "or" at the end of the subsection for clarification of intent.

Page 173, new Paragraph (J)(3)(c)(ii): Add "verified" between "of" and "in-service" and delete "verified by the district" for clarification of intent and to delete unnecessary language. Add a semicolon and "or" at the end of the subsection for clarification of intent.

Page 173-174, new Paragraph (J)(3)(c)(iii): Delete "Up to 6 semester hours of gifted education courses may be replaced by district in-service, with 15 clock hours of in-service equivalent to 1 semester hour. In-service shall be verified by the district." and replace with, "District in-service programs in gifted education may be substituted for up to 6 semester hours of gifted education courses. Fifteen clock hours of in-service is equivalent to 1 semester hour. In-service hours shall be verified by the district superintendent or personnel director.", for clarification of intent.

Add a semicolon and "or" at the end of the subsection for clarification of intent and to correct punctuation.

Page 174, new Paragraph (J)(3)(c)(iv): Add "verified" before "teaching" and delete "verified by the district" for clarification of intent. Add a period at the end of the subsection to correct punctuation.

Page 174, new Paragraph (K), Title: Add a hyphen between "Library" and "Media" for clarification of intent.

Page 174, new Paragraph (K)(1): Add a hyphen between "Library" and "Media" for clarification of intent. Change "Library Media Specialist Endorsement" to "library-media specialist endorsement" for consistency in format used.

Page 174, new Paragraph (K)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 174, new Paragraph (K)(2)(a): Change "A" to "An" and delete "valid" as unnecessary language.

Page 174, new Paragraph (K)(2)(b): Add "A" as the 1st word of the subsection and change "Passing" to "passing" for consistency in language and format used. Add a hyphen between "Library" and "Media" for clarification of intent. Add a semicolon and "and" at the end of the subsection to correct punctuation.

Page 174, new Paragraph (K)(2)(c): Add "verified" between "of" and "teaching" for consistency in language used and clarification of intent.

Page 174, new Paragraph (L)(1): Change "It may be requested" to "The middle grade endorsement"; change "expand" to "expands"; and change "on" to "with", for clarification of intent.

Page 174, new Paragraph (L)(2)(a): Add "An" as the 1st word of the subsection for consistency in language and format used.

Page 174, new Paragraph (L)(2)(b)(i): Add a semicolon at the end of the subsection to correct punctuation.

Page 174, new Paragraph (L)(2)(b)(ii): Replace the comma after "curriculum" with a semicolon to correct punctuation.

Page 175, new Paragraph (L)(2)(b)(iii): Add "A" as the 1st word of the subsection and change "Practicum" to "practicum" for consistency in language and format used.

Page 175, new Paragraph (M)(1): Change "Drivers Education Endorsement" to "drivers education endorsement" for consistency in language and format used.

Page 175, new Paragraph (M)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 175, new Paragraph (M)(2)(a): Change "A" to "An" and delete "valid" as unnecessary language.

Page 175, new Paragraph (M)(2)(d): Add "within" after "license" and change "before" to "preceding", for clarification of intent.

Page 175, new Paragraph (N)(1): Change "Cooperative Education Endorsement" to "cooperative education endorsement" for consistency in language and format used.

Page 175, new Paragraph (N)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 175, new Paragraph (N)(2)(a): Change "Provisional or Standard Vocational Certificate" to "provisional or standard vocational certificate" for consistency in language and format used.

R7-2-614

Page 176, new Paragraph (B)(3): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 176, new Paragraph (B)(3)(c): Delete "Documentation of" and change "3" to "Three"; add "verified" after "of"; move "Prekindergarten-12" to end of the subsection; add "in grades" before "Prekindergarten" for clarification of intent.

Page 176, new Paragraph (B)(3)(d): Change "standards" to "knowledge and skills" for clarification of intent and consistency with language used.

Page 176, new Paragraph (B)(3)(e): Add "A" as the 1st word of the subsection and change "Practicum" to "practicum" for consistency with language and format used; delete "documentation"; and add "verified" before "educational" for clarification of intent.

Page 176, new Paragraph (B)(3)(f) and (g): Add "A" as the 1st word of each subsection and change "Passing" to "passing" for consistency with language and format used.

Page 176, new Paragraph (C)(1): Change "Principal Certificate" to "principal certificate" for consistency with format used.

Page 176, new Paragraph (4): Change "may substitute" to "may be substituted" for clarification of intent and consistency with language used.

Page 177, new Paragraph (C)(3): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 177, new Paragraph (C)(3)(b): Delete "Documentation of"; change "3" to "Three"; add "verified" after "of"; move "Prekindergarten-12" to end of the subsection, and add "in grades" before "Prekindergarten" for clarification of intent.

Page 177, new Paragraph (C)(3)(c): Change "standards" to "knowledge and skills" for clarification of intent and consistency with language used.

Page 177, new Paragraph (C)(3)(d): Add "A" as the 1st word of the subsection and change "Practicum" to "practicum" for consistency in language and format used. Delete "documentation" and add "verified" before "experience"; and change "in the areas of" to "as a", for clarification of intent and consistency.

Page 177, new Paragraph (C)(3)(e) and (f): Add "A" as the 1st word of each subsection and change "Passing" to "passing" for consistency with language and format used.

Page 177, new Paragraph (C)(4): Change "may substitute" to "may be substituted" for clarification of intent and consistency with language used.

Page 177, new Paragraph (D)(1): Change "Superintendent Certificate" to "superintendent certificate" for consistency in language and format used. Move "superintendents, assistant or associate superintendents" between "for" and "district" for clarification and to make clear and concise.

Page 177, new Paragraph (D)(3): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 178, new Paragraph (D)(3)(c): Delete "Documentation" and change "3" to "Three" for consistency in language and format used. Add "verified" between "of" and "teaching" for clarification and consistency.

Page 178, new Paragraph (D)(3)(d): Add "A" as the 1st word of the subsection and change "Practicum" to "practicum" for consistency in language and format used. Delete "documentation" and add "verified" before "experience" for clarification and consistency.

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Page 178, new Paragraph (D)(3)(e) and (f): Add "A" as the 1st word of each subsection and change "Passing" to "passing" for consistency with language and format used.

Page 178, new Paragraph (D)(4): Change "may substitute" to "may be substituted" for clarification and consistency. Move "teaching experience" after "administration," for clarification and better organization of the sentence.

Page 178, new Paragraph (D)(5): Change "adoption" to "effective date" in 2 places; add "who" before "meet"; and add "in effect at the time of evaluation" between "qualifications" and "within" for clarification of intent.

R7-2-615

Page 179, new Paragraph (B)(1): Change "Guidance Counselor Certificate" to "guidance counselor certificate" for consistency in format used.

Page 179, new Paragraph (B)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 179, new Paragraph (B)(2)(a): Add a semicolon at the end of the subsection to correct punctuation.

Page 179, new Paragraph (B)(2)(b): Change "may substitute" for "may be substituted" for consistency in language used. Add a semicolon and "and" at the end of the subsection for clarification and to correct punctuation.

Page 179, new Paragraph (B)(2)(c): Reletter beginning with "completion" and ending with "counseling" as (B)(2)(c)(i); reletter beginning with "2" and ending with "counselor; or" as (B)(2)(c)(ii); change "2" to "Two"; reletter beginning with "3" and ending with "experience" as (B)(2)(c)(iii); and change "3" to "Three", for clarification of intent and consistency with language and format used.

Page 179, new Paragraph (C)(1): Change "School Psychologist Certificate" to "school psychologist certificate" for consistency with language and format used.

Page 179, new Paragraph (C)(2): Add "The" as the 1st word of the subsection and change "Requirements" to "requirements" for consistency in language and format used.

Page 179, new Paragraph (C)(2)(b): Change "in an accredited institution, to include" to "consisting of" for clarification of intent.

Page 179, new Paragraph (C)(3): Change "may substitute" for "may be substituted" for consistency in language used.

R7-2-616

Page 179, new Paragraph (A): Change "Director of Certification" to "Superintendent of Public Instruction or the Superintendent's designee" for consistency and to conform with statutory authority and responsibility.

Page 180, new Paragraph (A): Change "funds" to "the fees" for clarification of intent. Change the period at the end of the subsection to a colon to correct punctuation.

Page 180, new Paragraph (A)(1): Change the subsection to read, "Evaluation of qualification for a certificate: \$30.00" and add a period at the end of the subsection for clarification of intent and to correct punctuation.

Page 180, new Paragraph (A)(2): Add a new subsection that reads, "evaluation of qualification for an endorsement: \$30.00.", for clarification of intent.

Page 180, new Paragraph (A)(2): Renumber as (A)(3) to accommodate the addition of a new (2); delete "each" and replace with "a"; and add a period to the end of the subsection, to better organize subsections, to delete unnecessary language and to correct punctuation.

Page 180, new Paragraph (A)(3): Renumber as (A)(4) to accommodate the addition of a new (2) and add a period at the end of the subsection to correct punctuation.

Page 180, new Paragraph (A)(4): Renumber as (A)(5) to accommodate the addition of a new (2); add a comma after "\$32.00" and add "unless a different fee is required to be paid to another state agency." for clarification of intent and to accommodate statutory changes scheduled to go into effect July 1, 1999.

Page 180, new Paragraph (B): Change "Director of Teacher Testing" to "Superintendent of Public Instruction or the Superintendent's designee" to reflect statutory authority and responsibility; change "funds" to "the fees" for clarification of intent.

Page 180, new Paragraph (C): Change "repay" to "pay"; and add "of notification to the applicant" after "weeks", for clarification of intent. Delete the sentence beginning with "If repayment..." and ending with "...ARS § 15-302(9)." and replace with, "If a certificate has been issued or renewed and payment is not received within 2 weeks of notification to the applicant, the Board shall file a statement of complaint pursuant to R7-2-1302. If a certificate or renewal has not been issued, no certificate or renewal shall be issued until the fees are paid by cashier's check or money order.", for clarification of intent.

Page 180, new Paragraph (D): Change "for certification or assessment services" to "pursuant to this rule" for clarification of intent.

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R7-2-617

Page 181, new Paragraph (A): Place a period after the 1st "expires"; delete the "and" after the 1st "expires"; add "A certificate may be renewed" before "within"; add "if the individual is not employed under the certificate" after the 2nd "expires", for clarification of intent.

Page 181, new Paragraph (B): Change "shall be based on" to "requires the"; and change "since" to "after", for clarification of intent; After "activities", delete "which are outside the individual's normal job responsibilities", for clarification of intent.

Page 181, new Paragraph (B)(2): Change "spent in training sessions" to "earned" for clarification of intent.

Page 181, new Paragraph (B)(3): Add "-sponsored" after "District" and change "in attendance" to "earned" for clarification of intent.

Page 181, new Paragraph (B)(4): Change "a structured" to "based on an" for clarification of intent.

Page 182, new Paragraph (B)(4): Change "involved" to "earned" for clarification of intent.

Page 182, new Paragraph (B)(5): Change "involved" to "earned" for clarification of intent.

Page 182, new Paragraph (B)(6): Change "the leadership" to "a leadership" in 2 places, for clarification of intent.

Page 182, new Paragraph (B)(7): Change "the visiting team" to "a visitation"; change "of" to "for"; delete "such as North Central Accreditation"; change "school accreditation" to "visitation"; and change "accrediting" to "accreditation" for clarification of intent.

Page 182, new Paragraph (B)(8): Change "spent" to "earned" for clarification of intent.

Page 182, new Paragraph (C): Delete "valid" as unnecessary language.

Page 183, new Paragraph (C): Delete "satisfactory" as unnecessary language and change "educational" to "education" to correct a grammatical error.

Page 183, new Paragraph (D) and (E): Delete "valid" as unnecessary language.

Page 183, new Paragraph (F): Add "a" between "of" and "professional" in 3 places; change "activities" to "program" in 3 places, for clarification of intent.

R7-2-601 through R7-2-617

There were 7 places within the rules where "student standards" were changed to "academic standards" as a correction in terminology.

R7-2-809

Page 184: Renumber "R7-2-810" to "R7-2-809" to correct numbering in accordance with rulemaking regulations.

Page 184, Title: Change title to "Procedures for the Participation of Children Instructed at Home in Interscholastic Activities" to conform with rulemaking regulations related to capitalization of words in a title.

Page 184, new Paragraph (A)(1): Delete "and "Student"" as unnecessary language.

Page 185, new Paragraph (B): Add "An" as the 1st word of the subsection and change "Opportunity" to "opportunity" to correct grammar and format. Delete "students as a prerequisite to acceptance onto a team, squad or group" and add "children instructed at home" between "to" and "in" for clarification and deletion of unnecessary language.

Page 185, new Paragraph (C): Delete the paragraph in its entirety as unnecessary language (appears in statute).

Page 185, new Paragraph (D): Reletter as (C) to accommodate the deletion of the proposed (C).

Page 185, new Paragraph (D)(1) through (3): Change "student" to "child instructed at home" in all subsections for consistency in language used.

Page 185, new Paragraph (E): Reletter as (D) to accommodate the deletion of the proposed (C).

Page 185, new Paragraph (E)(1) and (2): Change "student" to "child instructed at home" in all subsections for consistency in language used.

Page 186, new Paragraph (E)(2): Delete "home schooled student" as unnecessary language. Change "has" after "30 days" to "have" to correct grammar.

Page 186, new Paragraph (E)(3): Change "Students" and "student" to "child instructed at home" for consistency in language used. Add "A" as the 1st word of the subsection. Change "were" to "was" to correct the grammar.

Page 186, new Paragraph (F): Reletter as (E) to accommodate the deletion of the proposed (C) and change "student" to "child instructed at home" for consistency in language used.

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Page 186, new Paragraph (F)(2) and (3): Change "student" to "child instructed at home" for consistency in language used.

Page 186, new Paragraph (G): Reletter as (F) to accommodate the deletion of the proposed (C). Add "children instructed at home, their" between "to" and "parents" for clarification of intent.

Page 186, new Paragraph (H): Reletter as (G) to accommodate the deletion of the proposed (C); and change "Students" to "A child instructed at home" for consistency in language used.

Page 187, new Paragraph (H): Change "home school students" to "children instructed at home" for consistency in language used.

R7-2-1002

Page 187, Paragraph (A): Delete the space between "15-213" and "(A)" for consistency with current language; add a comma after "construction" to correct punctuation; remove the strikeout in "services", leaving the word in the rule, to correct a typographical error; change "15-231" to "15-213" to correct a typographical error; change references to "15-213(G)" to "15-213(F)" to correct a typographical error.

Page 188, Paragraphs (B), (C), (D) and (E): Remove the language and replace with "No Change" to conform with rulemaking regulations related to existing language that is not the subject of the proposed or adopted amendment.

R7-2-1033

Page 188, Title: Change "Simplified school construction procurement program" to "Simplified School Construction Procurement Program" to comply with rulemaking regulations related to capitalization of words in a title.

Page 188, new Paragraphs (A) and (B): Change "simplified school construction procurement program" to "Simplified School Construction Procurement Program" for consistency in format and language used.

Page 189, new Paragraph (B)(6): Change "simplified school construction procurement program" to "Simplified School Construction Procurement Program" for consistency in format and language used.

R7-2-1301

Page 189, new Paragraph (assumed)(A)(3): Delete "Article 6" as unnecessary language.

Page 189, new Paragraph (A)(4): Add "of complaint" after "statement" for clarification of intent.

Page 189, new Paragraph (A)(5): Change "Department" to "Board" to reflect current practice.

Page 190, new Paragraph (A)(6): Delete "Certification Unit" as unnecessary language.

Page 190, new Paragraph (A)(7): Delete the subsection in its entirety as the term "Executive Committee" no longer appears in the rules.

Page 190, new Paragraph (A)(8): Renumber as (7) to accommodate the deletion of the proposed (7); change "Article 7" to read "Title 41, Chapter 6 and" for clarification of intent.

Page 190, new Paragraph (A)(9) and (10): Renumber as (8) and (9) to accommodate the deletion of the proposed (7).

R7-2-1302

Page 190, new Paragraph (A): Change "Department" to "Board" in 2 places to reflect current practice.

Page 190, new Paragraph (D): Change "that" after "individuals" to "who" for clarification of intent; change "assist in the investigation of the complaint" to "provide information regarding the allegations contained in the statement of complaint"; and change "of the allegations" to "provide information regarding the allegations contained in the statement of complaint" for clarification of intent.

Page 190, new Paragraph (E): Add "or other" after "written" for clarification of intent.

Page 191, new Paragraph (F): Delete "by the Department" as unnecessary language.

R7-2-1303

Page 191, Title: Add "Statement of" between "of" and "Complaint" for clarification of intent.

Page 191, new Paragraph (A): Between "days" and "filing", change "of" to "after the" for clarification of intent; change "Department" to "Board" in 2 places to reflect current practice; and add "to the last known address" to the end of the subsection after "mail", for clarification of intent.

Page 191, new Paragraph (B): Change "Department" to "Board" in 2 places to reflect current practice; change "answer" to "respond to" for clarification of intent; and add "statement of" before "complaint" in 2 places for clarification of intent.

Page 191, new Paragraph (C): Delete "The Department shall have the responsibility of" as unnecessary language; add "An" as the 1st word of the subsection to correct grammar; change "investigating" to "investigation of" to correct grammar; add "shall be conducted" to the end of the subsection after "Article" for clarification of intent.

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R7-2-1304

Page 191, new Paragraph (A): Change "Department" to "Board" to reflect current practice; delete "against a certificated individual alleging immoral or unprofessional conduct" as unnecessary language.

Page 191, new Paragraphs (B), (C) and (D): Delete paragraph in its entirety as unnecessary language.

Page 192, new Paragraph (E): Reletter as (B) to accommodate the deletion of the proposed (B), (C) and (D); change "Professional Practices Advisory Committee" to "PPAC" as it is defined in R7-2-1301; and delete "pursuant to R7-2-701 et seq." as unnecessary language.

R7-2-1305

Page 192, Title: Change "Conviction of criminal offenses; investigation" to "Conviction of Criminal Offenses; Investigation" to conform with rulemaking regulations related to capitalization of words in a title.

Page 192, new Paragraph (A): Delete "of Education and notarized" as unnecessary language; delete "(F)" in 2 places as unnecessary language.

Page 192, new Paragraph (A)(1): Delete the paragraph in its entirety as unnecessary language.

Page 193, new Paragraph (A)(2): Delete the paragraph in its entirety as unnecessary language.

Page 193, new Paragraph (B): After "individual", delete "has been convicted of a criminal offense as" and replace with "who has been convicted of or admitted in open court or pursuant to a plea agreement committing any criminal offense", for clarification of intent; delete "(F)" as unnecessary language; and change "Department" to "Board" to reflect current practice.

Page 193, new Paragraph (C): Delete "(F)" as unnecessary language; change "Department" to "Board" to reflect current practice; delete "investigator" and "court" as unnecessary language; and add "or reports" after "records" for clarification of intent.

R7-2-1306

Page 193, Title: Change "Reviewable offenses" to "Reviewable Offenses" to conform with rulemaking regulations related to capitalization of words in a title.

Page 193, new Paragraph (A): Delete "(F)" as unnecessary language.

Page 193, new Paragraph (B): Change "Department" to "Board" to reflect current practice; and change "the" after "against" to "a certificated" for clarification of intent.

Page 194, new Paragraph (B): Delete "or may make a recommendation to the Board that no hearing be held in this matter" and replace with "or may issue or deny certification to an applicant" for clarification of intent.

Page 194, new Paragraphs (C), (D), (E) and (F): Delete all paragraphs in their entirety as unnecessary language.

R7-2-1307

Page 194, Title: Change "Criminal offenses; nonreviewable" to "Criminal Offenses; Nonreviewable" to conform with rulemaking regulations related to capitalization of words in a title.

Page 195, new Paragraph (B): After "convicted of", delete "an" and add "a nonreviewable" for clarification of intent; delete "which is listed as nonreviewable pursuant to R7-2-601(V), for clarification of intent; change "Department" to "Board" to reflect current practice; add "revoke" after "shall" for clarification of intent; and delete "immediately prepare a recommendation for consideration by the Board that the certificate be permanently revoked" as unnecessary language.

10. A summary of the principal comments and the agency response to them:

There were no comments received, oral or written, related to the proposed amendments to R7-2-205, R7-2-1002, R7-2-1033 or R7-2-1301 through R7-2-1307.

There were 12 individuals who addressed the Board during the public hearing held on Sections R7-2-601 through R7-2-617. Although all of the individuals were generally supportive of the changes proposed to the certification process, the following specific concerns were raised:

1. More oversight of the teacher preparation programs.

Agency answer: There is very little oversight of teacher preparation programs under the current rules. Under the new rules, teacher preparation programs will require approval by the State Board of Education and oversight will occur based on success of the graduates from the program.

2. Knowledge and performance standards are listed separately and should be combined.

Agency answer: Knowledge and performance are integrated in teaching, however, they have been separated in assessment as they are 2 different types of assessments and are assessed differently.

3. Objection to the use of standardized examinations because they reduce diversity and are biased.

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Agency answer: The new rule does not prescribe standardized examinations. The State Board of Education is also keenly interested in promoting diversity and is very much aware of promoting diversity as assessments are developed.

4. How will multicultural needs be addressed?

Agency answer: Standards contained in the new rule language repeatedly call for methods to deal with diverse needs of learners and multicultural sensitivity. The words "multicultural sensitivity" were also added to 1 of the teaching standards to strengthen and further stress the Board's intent in this area.

5. Terms "Dean", "Director" or "Chair" should be changed to "Administrator".

Agency answer: the Board felt that the terms "Dean", "Director" or "Chair" were sufficiently broad to include whatever an administrator of a school or school district might be called.

6. The standards perpetuate the separation of grades into K-8 and 7-12, and do not speak to middle school grades separately.

Agency answer: The standards apply across all areas, all ages and all stages of development.

There was 1 individual, representing the Arizona School Boards Association (ASBA), who spoke against the proposed new rule R7-2-810. In a prior amendment to R7-2-808 related to home schooled students participation in interscholastic activities, ASBA argued that the State Board of Education exceeded its authority by stating that a home schooled student "shall" be allowed to participate if the student met the eligibility requirements specified. The Board believes that the intent of the legislature was not to exclude home schooled students from participating in interscholastic activities, if such students demonstrated the skills and abilities the schools were seeking for participation on its teams. Therefore, the Board defined "participate" as "a having been selected to represent a school and taking part in an interscholastic activity as a member of a team, squad or group which has been organized for the purpose of interscholastic contests." The Board has allowed the schools the option of allowing students to "participate" by stating that a home schooled student "may" participate if chosen as a member of a team, squad or group by the school. This language clearly allows the school to make the decision as to whether or not a student is chosen to participate. However, there is a step that commonly occurs prior to being selected as a member of a team, and that step involves trying out for the team by a student demonstrating his or her skill and ability in a certain activity. The Board believes that the statute was silent on this issue, and when considering the structure of the statute as a whole, that the legislature did not intend to exclude home schooled students from being able to try out for a team, and that the current language of the statute refers only to the actual participation of a student as a member of the team and that schools continue to have the option of allowing students to participate as stated in the statute. The Board believes that language which reflects that schools "may" allow home schooled students to try out for teams would create huge disparities between schools and districts, and would not allow for the equitable treatment of all students in Arizona. The ASBA continues to complain that the Board lacks authority to state that schools shall allow students to try out for participation in interscholastic activities. The Board believes that the adopted language of R7-2-810 is consistent with the intent of the legislature on this issue.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable.

12. Incorporations by reference and their location in the rules:

None.

13. The full text of the rules follows:

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

**ARTICLE 2. STATE BOARD OF EDUCATION
COMMITTEES**

Section

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- R7-2-1301. Definitions
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**ARTICLE 2. STATE BOARD OF EDUCATION
COMMITTEES**

R7-2-205. Certification Review, Suspension and Revocation

- A. The Professional Practices Advisory Committee ("Committee") shall act in an advisory capacity to the State Board of Education ("Board") in regard to certification or recertification matters related to immoral conduct, unprofessional conduct, unfitness to teach, and revocation, suspension or surrender of certificates.
- B. The Committee shall consist of 7 members comprised of the following:
1. One elementary classroom teacher
 2. One secondary classroom teacher
 3. One principal
 4. One superintendent or assistant/associate superintendent
 5. Two lay members
 6. One local Governing Board member.
- C. Selection of members of the Committee, except for lay members, shall be from highly competent educators who shall meet at least the following requirements:
1. Certified to teach in Arizona.
 2. Currently employed in or retired from the education profession in the specific category of their appointment.
 3. If currently employed, shall have been employed in this category for the 3 years immediately preceding their appointment.
- D. Appointment to the Committee from the specific categories will be recommended to the entire Board by a 3-member subcommittee appointed by the President of the Board. The subcommittee shall include the Executive Officer of the Board. All members of the Committee shall be subject to final approval by the Board.
- E. Terms of the members
1. ~~Initial appointments shall be made as follows: the elementary teacher, one lay member and the Governing Board member shall be appointed to terms which shall end on September 1, 1991. The secondary teacher, the principal and the superintendent shall be appointed to terms which shall end on September 1, 1992. One lay member shall be appointed to a term which shall end on September 1, 1993.~~
 12. ~~Thereafter, All regular terms shall be for 4 years except as set forth in (F) below.~~
 2. A member may be reappointed with Board approval.
- F. The Board may remove any member from the Committee. All vacancies shall be filled as prescribed in (C) and (D) above, and those persons appointed to fill vacancies shall serve to complete the term of the person replaced.

G. The Committee shall:

1. Select from its members a Chairman, Vice-Chairman, and Secretary.
2. Establish procedures for conducting business according to Robert's Rules of Order Revised. A quorum shall be a majority of members of the Committee. A quorum is necessary to conduct business. An affirmative vote of the majority of the members present is needed to take action.
3. Form an Executive Committee to consist of the Committee Chairman, Vice-Chairman, and Secretary to screen complaints to determine if the complaint states a cause of action sufficient to impose disciplinary action against the certified person.
4. Hold meetings as needed to conduct hearings or other Committee business by call of the Chairman of the Committee. If the Chairman neglects or declines to call a meeting, then a majority of the Committee may call a meeting. The Board may call a meeting as required to conduct necessary business. Notice of any meeting shall be given to Committee members 7 days prior to the meeting.
5. Recommend the removal of any member who is absent from 3 consecutive meetings.
6. Refer to the Code of Ethics of the American Association of School Administrators and the National Education Association to assist in determining whether the acts complained of constitute unprofessional conduct.
7. Conduct its business pursuant to R7-2-1301 et seq. and hearings pursuant to R7-2-701 et seq.

~~H. The following procedures shall apply in all disciplinary actions:~~

1. ~~All complaints and responses shall be made under oath on forms adopted by the Board. Complaints shall set forth the facts supporting the request for disciplinary action. Complaints filed by a school district shall be signed by the clerk of the board or the school district superintendent and must be accompanied by a certified copy of a school board resolution authorizing the complaint to be filed. A list of witnesses and all written evidence to be presented shall be part of the complaint and response. The list of witnesses shall include a brief summary of the substance of each witness' testimony.~~
2. ~~Complaints and responses shall be received by the Department of Education Teacher Certification Unit.~~
3. ~~Within 15 days after a complaint has been received by the Teacher Certification Unit, the following shall be delivered personally, by certified mail, or by process server to the respondent:~~
 - a. A copy of the complaint.
 - b. A copy of this rule.
 - c. The form for filing a response.
 - d. Notice that the response must be received by the Department of Education Teacher Certification Unit within 15 days of receipt of the documents by the respondent.
4. ~~A response must be received by the Teacher Certification Unit within 15 days of the date the respondent receives a copy of the complaint. Upon receipt of this response to the complaint, the Department of Education shall forward a copy to the complainant.~~
5. ~~The Executive Committee shall determine whether there is sufficient cause to hold a hearing. If a response is not received within 15 days, the Executive Committee may determine whether a hearing should be scheduled, based~~

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upon the information in the complaint. If the Executive Committee determines that a hearing is not warranted, its recommendation concerning the complaint shall be forwarded to the Board and the Board shall make its decision on the recommendation. If the Executive Committee determines that a hearing is warranted, the following procedure shall be followed:

- a. A hearing shall be held before the Committee in accordance with the requirements of Title 41, Chapter 6, Articles 1-6 (A.R.S. § 41-1001 et seq). The complainant and respondent shall be given at least 20 days notice of the hearing date by regular mail.
 - b. The Committee Chairman may rule on procedural matters such as motions submitted. The Chairman shall make said rulings in consultation with the Attorney General's office.
 - c. Hearing procedures also include, as follows:
 - i. If the respondent fails to appear, the Committee may proceed with the hearing.
 - ii. All witnesses shall be sworn.
 - iii. All proceedings of the hearing shall be stenographically reported or mechanically recorded.
 - d. Upon a finding of immoral or unprofessional conduct or evident unfitness to teach or practice, the Committee shall recommend disciplinary action, which may include suspension or revocation of a certificate. The Committee's recommendation and written findings of fact shall be transmitted to the Board within ten days after the hearing and copies shall be mailed to the parties by regular mail.
 - e. Either party may file with the Board written objections (not post-hearing evidence) to the findings and recommendation and shall serve copies of these objections upon the other party within 20 days from the date of the Committee's written recommendation.
 - f. A complete transcript of the hearing before the Committee shall be furnished to the Board.
- I. The Board's review procedures are as follows:
- 1. The Board shall notify the parties of the date and place of the Board meeting at which the matter will be decided. The notice shall be sent by regular mail at least 15 days before the matter is scheduled to be considered.
 - 2. The Board may affirm, reverse, adopt, modify, supplement, amend or reject the Committee's recommendation and findings of fact in whole or in part; it may remand the matter to the Committee with instruction, it may convene itself as a hearing body, or it may make any other appropriate disposition.
 - 3. The Board shall review the hearing transcript and consider the Committee's recommendation and findings of fact.
 - 4. An affirmative vote of the majority of the members of the Board is required for its decision and order.
 - 5. Within 15 days after the Board decision is reached, copies of the written decision and order shall be mailed to the parties.
- J. Any suspension or revocation order shall be reported to the Departments of Education of all states and territories.

ARTICLE 6. CERTIFICATION

R7-2-601. General Certification Provisions Definitions

- A. The State Board of Education shall issue a comparable Arizona certificate, if one is established pursuant to R7-2-603 or R7-2-607, to an applicant who holds a valid certificate from another state and possesses a Bachelor's or higher degree from a regionally accredited institution as defined in (G). Such certificates shall be valid for 1 year. The allowable deficiencies of Arizona Constitution, United States Constitution, and passing the Arizona Teacher Proficiency Examination shall be satisfied prior to the issuance of a standard or provisional certificate as provided in R7-2-603.
- B. The State Board of Education shall quadrennially in even-numbered years review and approve the teacher certification programs and courses of all universities and colleges offering courses in Arizona which request teacher education institutional recommendation. Those universities and colleges with recognized institutional recommendation may provide their teacher education program graduates with an institutional recommendation form for issuance of the appropriate Arizona certification. An institutional recommendation may be granted to any higher education institution based on the institution submitting the following:
 - 1. Verification of current regional accreditation and results of program specific reviews that have occurred since the submission of the last report.
 - 2. A listing of each course which is offered as part of a program which meets Arizona certification requirements.
 - 3. A listing of program requirements including number of hours met and sample course syllabus for each certification course offered that is not part of an approved program.
 - 4. A listing of all part time and full time faculty, their qualifications, and the courses taught.
 - 5. A listing of certification skills and the classes where such skills are taught including recommendations for changes to such skills.
 - 6. A current course catalog.The Professional Standards and Certification Advisory Committee may request an on-site visit of any institution requesting an institutional recommendation. Institutions may amend their programs and courses approved for institutional recommendation on a biannual basis.
- C. An applicant other than one with an institutional recommendation from a university or college with a program approved under subsection (B) of this rule may be certified if the applicant has completed a professional teacher education program at a regionally accredited institution as defined in subsection (G).
- D. Complete official transcripts, an application for certification, and the appropriate fee or fees are required for an evaluation to determine if the applicant meets the qualifications for certification. Course descriptions, letters verifying employment, and other documents may be required to assist in the evaluation to determine if the applicant meets the requirements as specified in this Article.
- E. Evaluations will be honored for 2 years from the date of the evaluation. Requirements must be satisfied and a certificate issued prior to the expiration of the evaluation, or the applicant must reapply and will be subject to rules in effect at the time of reapplication.
- F. All course work and examinations required for certification must show a passing grade or credit received.

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- G. An accredited institution shall be one which is listed as accredited in the current American Association of Collegiate Registrars and Admissions Officers Report.
- H. High school teaching or subject assignments are the responsibility of the employing district board. Teachers teaching in a State Board required academic subject area shall have the major in the subject area specified on the certificate as indicated below. A major shall consist of a minimum of 30 semester hours.
1. English: shall have a major in English, Communication Arts, Language Arts, Literature, or English as a Second Language.
 2. Essentials, sources, and history of the constitutions of the United States and Arizona, and instruction in American institutions and ideals in the history of Arizona: shall have a major in any regional history or regional geography, Social Studies, History, U.S. History, Government, or Political Science.
 3. World history/geography: shall have a major in History, Soviet History, Latin American History, Oriental Studies, Latin American Studies, Geography, or Anthropology.
 4. Mathematics: shall have a major in Mathematics.
 5. Science: shall have a major in Science, Agriculture, Biology, Botany, Chemistry, Engineering, Earth Science, Geology, Meteorology, Physical Science, Physics, or Zoology.
 6. Fine Arts: shall have a major in Art, Dance, Drama, Music, Speech and Drama, or Speech.
 7. Vocational Education: shall have a major in Marketing Education, Agriculture Education, Technology Education, Business Education, or shall meet the occupational or educational requirements specified on the certificate for that vocational technological program area.
- I. Teacher aide experience will not be accepted as teaching credit for Arizona public school certification. Verified, full-time prekindergarten teaching experience will be accepted as teaching credit for K-8 certification and verified, full-time postsecondary teaching experience will be accepted as teaching credit for 7-12 certification.
- J. Teachers of homebound students shall hold the same level of certificate that is required of a classroom teacher, elementary or secondary.
- K. All 1 year certificates shall expire 1 year from the date of issuance. All certificates issued for a period extending beyond 1 year shall expire on the holder's birth date in the year of expiration.
- L. A certificate may be renewed within 1 year after it expires and within 6 months before it expires in accordance with the renewal requirements specified in subsection (N). Those persons who hold certificates which have been expired for more than 1 year must reapply for certification under the requirements in effect at the time of reapplication.
- M. Applicants possessing a valid Basic or Standard certificate issued prior to July 1, 1995, may renew the certificate 1 time based on:
1. Verification from employer of continuous satisfactory teaching, or approved leave granted by a school board during the last valid period of the certificate being renewed; or
 2. Verification from employer of continuous employment with an educational agency or institution during the last valid period of the certificate being renewed.
- N. Renewable 6-year certificates.
1. Applicants possessing a valid Basic or Standard certificate issued before July 1, 1997, may renew the certificate based on verification from the Department of Education, a county school superintendent, a school district, or the Dean of a College of Education that the applicant has completed a professional growth program as specified in subsection (O). A professional growth program shall consist of completion of 90 clock hours of continuing professional education, with 15 clock hours equal to 1 semester hour. The professional growth program must be completed during the period between the most recent issuance of the renewal or issuance and this application for renewal.
 2. Applicants possessing a valid Standard certificate issued or renewed on or after July 1, 1997, or a Temporary certificate issued after January 1, 1984, may renew or convert the certificate based on verification from the Department of Education, a county superintendent, a school district, or the Dean of a College of Education that the applicant has completed a professional growth program as specified in subsection (O). A professional growth program shall consist of completion of 180 clock hours of continuing professional education, with 15 clock hours equal to 1 semester hour. The professional growth program must be completed during the period between with the most recent issuance of the renewal or issuance and this application for renewal.
- O. Professional growth program:
1. A professional growth program may be offered by the Department of Education, a county school superintendent, a school district, or the Dean of a College of Education and shall consist of any of the following activities:
 - a. Courses from accredited colleges and universities related to education or a subject area taught in Arizona public schools, including correspondence courses;
 - b. Professional activities such as seminars, institutes, conventions, and workshops;
 - c. District inservices which are designed for professional growth;
 - d. Practical activities, such as internships in business settings;
 - e. Educational research;
 - f. Serving in a professional leadership role;
 - g. Serving on a regional accreditation team such as North Central Accreditation.
 2. Activities listed in subsections (O)1(a) through (g) may be sponsored or conducted by any group or organization.
- P. A provisional vocational certificate as defined in R7-2-607, may be renewed for an additional 2 year period upon completion of 9 semester hours of course work toward the basic vocational certificate in the same vocational area.
- Q. Teachers holding valid elementary, secondary, or special education certificates and continuing to maintain these certificates will not be subject to the general education requirements when applying for additional certificates.
- R. All teachers' certificates issued by the State Board of Education prior to the effective dates of R7-2-601, R7-2-602, R7-2-603, R7-2-606, and R7-2-607 are deemed issued in conformance with these rules.
- S. The Director of Certification shall be responsible for:
1. Issuance of the appropriate certificates based on the applicant's meeting the Board requirements.

2. Collection of proper fees for certification services and the transmittal of said funds to the State Treasurer.
3. Implementation of all certification rules.
- T. A course or examination covering the Arizona and U.S. Constitutions is required prior to or during the initial year of certification for all Arizona certificates, except for substitute and professional nonteaching certificates.
- U. Applicants who have deficiencies in Arizona or U.S. Constitutions, reading, or mathematics content course work but meet all other requirements specified shall be issued a certificate for 1 year which may not be extended.
- V. Conviction of criminal offenses. Applicants shall certify on forms that are provided by the Department of Education whether they are awaiting trial on, or have ever been convicted of, or have admitted in open court or pursuant to a plea agreement committing any offense listed in A.R.S. § 15-534(F). Applicants for certification shall not be required to disclose information regarding misdemeanor offenses other than those listed in A.R.S. § 15-534(F).
 1. Moral and professional character. Applicants shall certify on forms that are provided by the Department of Education and notarized whether they are awaiting trial on, or have ever been convicted of, or have admitted in open court or pursuant to a plea agreement committing any felony offense. The State Board of Education shall consider evidence of whether an applicant is awaiting trial on, was ever convicted of, or ever admitted in open court or pursuant to a plea agreement committing any felony offense to determine whether the applicant has engaged in immoral or unprofessional conduct pursuant to A.R.S. § 15-203(A)(24). Felony offenses are subject to the review process in accordance with subsection (V)(2).
 2. Review process. In determining whether to revoke, issue, or renew certification of a person who has been convicted of or admitted in open court or pursuant to a plea agreement committing any felony offense or any criminal offense listed in A.R.S. § 15-534(F) but not listed in subsection (V)(3), the Board shall consider all relevant and reliable evidence submitted on behalf of any party interested in the certification. The Board shall examine the date of the offense, the nature of the offense, whether the offense involved moral turpitude, the judicial disposition of the conviction, the age of the person at the time the offense was committed, and all aggravating and mitigating circumstances of the offense. The Board shall also examine the criminal record of the person and the potential for crimes against children.
 3. Offenses that are not subject to review. The Board shall revoke, not issue, or not renew the certification of a person who has been convicted of or admitted in open court or pursuant to a plea agreement committing any of the following criminal offenses in this state or similar offenses in another jurisdiction:
 - a. Sexual abuse of a minor;
 - b. Incest;
 - c. First degree murder;
 - d. Sexual assault;
 - e. Sexual exploitation of a minor;
 - f. Commercial sexual exploitation of a minor;
 - g. A dangerous crime against children as defined in A.R.S. § 13-604.01;
 - h. Armed robbery;
 - i. Sexual conduct with a minor;

- j. Molestation of a child;
- k. Exploitation of minors involving drug offenses.

In this Article, the following definitions apply unless the context otherwise requires:

1. "Accredited institution" means 1 which is listed as accredited in the current American Association of College Registrars and Admissions Officers Report. An institution based outside the United States shall be considered accredited if an approved foreign document evaluation firm declares it to be comparable to an accredited American institution.
2. "Board" means the State Board of Education.
3. "Department" means the Arizona Department of Education.
4. "Paraeducator" means an individual trained to perform certain specialized tasks in the occupation of education.
5. "Paratherapist" means an individual trained to perform certain specialized tasks in the occupation of habilitation.
6. "Practicum" means a period of structured observation and practice of the skills being learned, supervised by an individual trained in that area. The commonly used terms "student teaching," "internship," "residency," or "observation course" are included in this definition.
7. "Professional development" means training to increase skills related to the occupation of education.
8. "Teaching experience" means full-time employment which included full responsibility for the planning and delivery of instruction and evaluation of student learning.

R7-2-602. Alternative certification Professional Teaching Standards

- A. Alternative secondary certificate: The State Board shall issue a 1-year, nonrenewable, alternative secondary certificate which is valid only for teaching in grades 7-12. Requirements are:
 1. Bachelor's degree from a regionally accredited institution, as defined in R7-2-601 (G);
 2. Passing of the Arizona Teacher Proficiency Examination;
 3. A major in each subject to be taught, from a regionally accredited institution as verified by that institution; or a minimum of 30 semester hours in each subject to be taught, from a regionally accredited institution and a passing score on a State Board approved examination in each subject area to be taught.
- B. Alternative certification training program: Within 30 days after entering into a teaching contract, an individual with an alternative secondary certificate shall begin a teacher training program in conjunction with either the Department of Education or a college or university having an Arizona secondary certification program approved pursuant to R7-2-601 (B). The alternative certification training program shall consist of 3 phases and contain the following:
 1. Four weeks of training to be equally divided between secondary classroom activities and academic instruction on topics which include knowledge of adolescence, classroom management and instruction, development of curriculum, and foundations of education. During this 4-week period the alternatively certificated teacher shall not have any teaching responsibility and must be assigned to work with a certificated secondary teacher.
 2. Ten weeks of secondary classroom teaching and training in which the alternatively certificated teacher has responsibility for the classroom under the direction of an

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evaluation team or any of its members as described in subsection (B)(4). The team or any of its members shall observe the alternatively-certificated teacher for a minimum of 1 full teaching period each week. During this 10-week period, the alternatively-certificated teacher shall have 40 hours of release time distributed throughout the 10 weeks to allow for continuing academic instruction.

3. Twenty weeks of classroom teaching during which the alternatively-certificated teacher has sole responsibility for the classroom. Academic instruction shall continue on such topics as prescribed in subsection (B)(1). Observation by the team or any of its members shall continue for a minimum of 1 full teaching period each month.
4. The evaluation team shall be comprised of at least the following:
 - a. One teacher with a basic or standard secondary certificate;
 - b. A content area specialist;
 - c. A representative from the Arizona Department of Education or from a college or university with an Arizona secondary certification program approved pursuant to R7-2-601(B); and
 - d. A school district evaluator qualified pursuant to A.R.S.(15-537(D)).
5. The evaluation team shall evaluate the performance of the alternatively-certificated teacher after each phase of the training program. A person who successfully completes the training program shall not be required to meet the requirements specified for the standard secondary teaching certificate.

C. Alternative superintendent certificate.

The State Board may issue an alternative superintendent certificate which is valid for 6 years for grades K-12. Requirements are:

1. A Master's or more advanced degree and demonstrated skills in organization planning, program development, and staff development; and
2. Eight years or more of administrative experience as an executive officer or manager of a business or educational institution; and
3. Completion of 12 semester hours of course work from a regionally-accredited institution as defined in R-7-2-601 (G). Such course work shall include school law, school finance, and school administration.

A. The standards presented in this section shall be the basis for approved teacher preparation programs, described in R7-2-604, and the Arizona Teacher Proficiency Assessment, described in R7-2-606.

B. Standard 1: The teacher designs and plans instruction that develops students' abilities to meet Arizona's academic standards and the district's assessment plan. The performance assessment shall measure the extent to which the teacher's planning:

1. Focuses instruction on Arizona's academic standards;
2. Focuses instruction on the school and district's academic standards;
3. Aligns curriculum with the student assessments;
4. Addresses any physical, mental, social, cultural, and community differences among learners;
5. Addresses prior knowledge of individual and group performance;
6. Indicates short and long term curriculum goals;
7. Includes appropriate use of a variety of methods, materials, and resources;

8. Includes learning experiences that are developmentally appropriate for learners;
9. Includes learning experiences that address a variety of cognitive levels;
10. Includes learning experiences that are appropriate for curriculum goals;
11. Includes learning experiences that are based upon principles of effective instruction;
12. Includes learning experiences that accurately represent content; and

C. Standard 2: The teacher creates and maintains a learning climate that supports the development of students' abilities to meet Arizona's academic standards. The performance assessment shall measure the extent to which the teacher:

1. Establishes and maintains standards of mutual respect;
2. Displays effective classroom management;
3. Encourages the student to demonstrate self-discipline and responsibility to self and others;
4. Respects the individual differences among learners;
5. Facilitates people working productively and cooperatively with each other;
6. Provides a motivating learning environment;
7. Promotes appropriate classroom participation;
8. Listens thoughtfully and responsively;
9. Organizes materials, equipment, and other resources appropriately; and
10. Applies to daily practice the ethics of the profession.

D. Standard 3: The teacher implements and manages instruction that develops students' abilities to meet Arizona's academic standards. The performance assessment shall measure the extent to which the teacher:

1. Appropriately implements a teacher-designed lesson plan;
2. Communicates to students specific standards and high expectations for learning;
3. Links learning with students' prior knowledge, experiences, and background;
4. Models the skills, concepts, attributes, or thinking processes to be learned;
5. Demonstrates effective written and oral communication;
6. Uses appropriate language to communicate with learners clearly and accurately;
7. Uses strategies that are appropriate to students' developmental levels;
8. Incorporates strategies which address the diverse needs of learners, and demonstrate multicultural sensitivity;
9. Encourages critical thinking;
10. Connects lesson content to real life situations when appropriate;
11. Uses technology and a variety of instructional resources appropriately;
12. Uses a variety of effective teaching strategies to engage students actively in learning;
13. Maximizes the amount of class time students are engaged in learning which result in a high level of success for students;
14. Provides opportunities for students to use and practice what is learned; and
15. Adjusts instruction based on feedback from students.

E. Standard 4: The teacher assesses learning and communicates results to students, parents and other professionals with respect to students' abilities to meet Arizona's academic standards. The performance assessment shall measure the extent to which the teacher:

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1. Promotes student self-assessment;
 2. Uses a variety of appropriate formal and informal assessments aligned with instruction;
 3. Maintains records of student work and performance and uses them to guide instructional decisions;
 4. Offers students and parents appropriate feedback on progress toward learning expectations;
 5. Maintains privacy of student records and performance.
- F.** Standard 5: The teacher collaborates with colleagues, parents, the community and other agencies to design, implement, and support learning programs that develop students' abilities to meet Arizona's academic standards and to transition from school to work or post-secondary education. The performance assessment shall measure the extent to which the teacher:
1. Works with parents to enhance student learning at home and school;
 2. Collaborates with other professionals and agencies to improve the overall learning environment for students;
 3. Accesses community resources and services to foster student learning;
 4. Demonstrates productive leadership and team membership skills that facilitate the development of mutually beneficial goals; and
 5. Collaborates with colleagues to achieve school and district goals.
- G.** Standard 6: The teacher reviews and evaluates his or her overall performance and implements a professional development plan. The performance assessment shall measure the extent to which the teacher:
1. Reviews his or her practices and evaluates the influences of those practices on student growth and learning;
 2. Designs and continually adapts a professional development plan for improving instruction and student learning;
 3. Engages in activities that implement the professional development plan;
 4. Uses employer's documentation of his or her performance to develop a professional development plan; and
 5. Pursues professional activities to support development as a learner and a teacher.
- H.** Standard 7: The teacher has general academic knowledge as demonstrated by the attainment of a bachelor's degree. The teacher also has specific academic knowledge in his or her subject area or areas sufficient to develop student knowledge and performance to meet Arizona academic standards. The subject knowledge assessment shall measure the extent to which the teacher has knowledge of:
1. Skills and concepts related to the subject areas:
 - a. At the elementary level, the teacher demonstrates knowledge of language arts and reading, math, science, social studies, and fine arts.
 - b. At the secondary level, the teacher demonstrates knowledge of the subject area or areas he or she is being certified to teach.
 2. Major facts and assumptions that are central to the discipline;
 3. Debates and the processes of inquiry that are central to the discipline;
 4. Integration of disciplinary knowledge with other subject areas; and
 5. Connections between knowledge of the subject areas and real life situations at the level of the students being taught.
- I.** Standard 8: The teacher demonstrates current professional knowledge sufficient to effectively design and plan instruction, implement and manage instruction, create and maintain an appropriate learning environment, and assess student learning. The professional knowledge assessment shall measure the extent to which the teacher has knowledge of:
1. A variety of methods for teaching language arts and reading, math, science, social studies, and fine arts at the elementary level or a variety of methods for teaching reading and the subject area or areas in which the teacher is seeking certification at the secondary level;
 2. Interdisciplinary learning experiences that integrate knowledge, skills, and methods of inquiry from several subject areas;
 3. Principles and techniques associated with various instructional strategies;
 4. Learning theories, subject matter, curriculum development, and student development and how to use this knowledge in planning instruction to meet curriculum goals;
 5. Methods for recognizing and accommodating exceptional children;
 6. Influences of individual development, experiences, talents, prior learning, language, culture, gender, family, and community on student learning;
 7. Principles of human motivation and behavior and their implications for managing the classroom and organizing individual and group work;
 8. Effective evaluation of curriculum materials and resources for accuracy, comprehensiveness, and usefulness for representing particular ideas and concepts;
 9. The characteristics, uses, advantages, and limitations of different types of assessments for evaluating how students learn, determining what they know and are able to do, and identifying what experiences will support their further growth and development;
 10. Measurement theory, interpretation of test results, and assessment-related issues, such as validity, reliability, bias, and scoring;
 11. Services and resources to meet the needs of exceptional children and how to access the services and resources;
 12. Schools as organizations within the larger community context and the operations of the relevant aspects of the educational system; and
 13. Laws and ethics related to student, parent, and teacher rights and responsibilities.
- J.** Standard 9: In collaboration with other professionals and parents, the special education teacher participates in the design, implementation, and assessment of individualized education programs. The performance assessment shall measure the extent to which the special education teacher:
1. Demonstrates knowledge of disabilities and their educational implications;
 2. Demonstrates knowledge of state and federal special education laws, rules and regulations;
 3. Demonstrates knowledge of and the ability to use a variety of assistive devices that support student learning;
 4. Applies specialized diagnostic and assessment procedures to assist in determining special education eligibility for all areas of suspected disability;
 5. Assists in the design and implementation of individualized education programs through diagnostic teaching, instructional adaptations, and individual behavior management techniques; and

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6. Utilizes paraeducators and paratherapists effectively through training and supervision.

R7-2-603. Teacher Certificate Requirements Professional Administrative Standards

- A. ~~Except as noted, all certificates are subject to the general certification provisions specified in R7-2-601. A regionally accredited institution shall be an institution as defined in R7-2-601(G).~~
- B. ~~Elementary certificates. Two courses in reading are required prior to or during the 1st year of certification for all elementary certificates. Mathematics content course work is required prior to or during the 1st year of certification for all elementary certificates.~~
1. ~~Standard elementary certificate—grades K-8, valid 6 years, renewable. Requirements are:~~
- a. ~~A Bachelor's degree from a regionally accredited institution.~~
- b. ~~A general studies program as established by completion of a Bachelor's degree to include:~~
- i. ~~A minor of 18 semester hours in content area;~~
- ii. ~~Six semester hours in mathematics content coursework to include the following:~~
- (1) ~~Number systems through the rational numbers;~~
- (2) ~~Informal geometry including measurement, graphing, geometrical construction, similarity, and congruence;~~
- (3) ~~Advanced topics in mathematics including the real number system, elementary probability and statistics, coordinate geometry, number theory, and algebra;~~
- (4) ~~Applications of technology, including computers and calculators.~~
- iii. ~~Eight semester hours in science content course work to include the following:~~
- (1) ~~Biology and physical science;~~
- (2) ~~The societal, personal, and career applications of science;~~
- (3) ~~The use of inductive and deductive strategies that involve scientific investigation, interpretation of findings, and communication of results.~~
- iv. ~~Nine semester hours of fine arts (dance, dramatic arts, music, or visual arts).~~
- e. ~~Forty-five semester hours in elementary education, to include courses which teach the skills as set forth in R7-2-605, including at least 8 semester hours of student teaching within grades K-8 or 2 academic years of verifiable, full-time teaching experience within grades prekindergarten-8.~~
- d. ~~Passing of the Arizona Teacher Proficiency Examination.~~
- C. ~~Secondary certificates:~~
1. ~~Standard secondary certificate—grades 7-12, valid 6 years, renewable. Requirements are:~~
- a. ~~A Bachelor's degree from a regionally accredited institution.~~
- b. ~~A 30 semester hour major in a subject taught in Arizona high schools. Mathematics majors shall have a minimum of 15 semester hours in calculus or other mathematics courses for which calculus is a prerequisite.~~
- e. ~~Thirty semester hours of secondary professional education, to include courses which teach the skills as set forth in R7-2-605, including at least 8 semes-~~

ter hours of student teaching within grades 7-12 or 2 academic years of verifiable, full-time teaching experience within grades 7 postsecondary. Mathematics majors shall have a minimum of 3 semester hours in methods of teaching secondary mathematics.

- d. ~~Passing of the Arizona Teacher Proficiency Examination.~~

- D. ~~Special education certificates. Mathematics content course work is required prior to or during the initial year of certification for special education certificates. Terms used in this subsection are as defined in A.R.S. § 15-761.~~

1. ~~Standard special education certificate—grades K-12, valid 6 years, renewable. May be issued in the areas of mental retardation, emotional disability, learning disability, and orthopedic impairment. Requirements are:~~

- a. ~~A Bachelor's degree from a regionally accredited institution to include 6 semester hours in mathematics content course work to include the following:~~

- i. ~~Number systems through the rational numbers;~~
- ii. ~~Informal geometry including measurement, graphing, geometrical constructions, similarity, and congruence;~~
- iii. ~~Advanced topics in mathematics including the real number system, elementary probability and statistics, coordinate geometry, number theory, and algebra;~~
- iv. ~~Applications of technology, including computers and calculators.~~

- b. ~~Eight semester hours in science content course work to include the following:~~

- i. ~~Biology and physical science;~~
- ii. ~~The societal, person, and career applications of science;~~
- iii. ~~The use of inductive and deductive strategies that involve scientific investigation, interpretation of findings, and communication of results.~~

- e. ~~Nine semester hours of fine arts (dance, dramatic arts, music, or visual arts).~~

- d. ~~Forty-five semester hours of education courses at a regionally accredited institution. Twenty-one of these semester hours must be in special education, to include courses which teach the skills as set forth in R7-2-605, including at least 8 semester hours of student teaching in a specific special education area of exceptionality within grades K-12 or 2 academic years of verifiable, full-time teaching experience in a specific special education area of exceptionality with grades K-12.~~

- e. ~~Passing of the Arizona Teacher Proficiency Examination.~~

2. ~~Standard severely and profoundly handicapped certificate—grades K-12, valid 6 years, renewable. Requirements are:~~

- a. ~~A Bachelor's degree from a regionally accredited institution.~~

- b. ~~Forty-five semester hours of education courses at a regionally accredited institution. Twenty-one of these semester hours must be in special education, to include courses which teach the skills as set forth in R7-2-605, including at least 8 semester hours of student teaching in the area of severely and pro-~~

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- foundly handicapped within grades K-12 or 2 academic years of verifiable, full-time teaching experience in the area of severely and profoundly handicapped within grades prekindergarten-12.
- e. Passing of the Arizona Teacher Proficiency Examination.
3. Standard hearing handicapped certificate grades K-12, valid 6 years, renewable. Requirements are:
- a. A Bachelor's degree from a regionally accredited institution;
- b. Forty-five semester hours of education courses at a regionally accredited institution. Twenty-one of these semester hours must be in special education to include courses which teach the skills as set forth in R7-2-605, including at least 8 semester hours of student teaching in the area of hearing handicapped within grades K-12 or 2 academic years of verifiable, full-time teaching experience in the area of hearing handicapped within grades prekindergarten-12.
- c. Passing of the Arizona Teacher Proficiency Examination.
4. Visually handicapped certificate grades K-12, valid 6 years, renewable. Requirements are:
- a. A Bachelor's degree from a regionally accredited institution;
- b. Forty-five semester hours of education courses from a regionally accredited institution. Twenty-one of these semester hours must be in special education, to include courses which teach the skills as set forth in R7-2-605, including at least eight semester hours of student teaching in the area of visually handicapped within grades K-12 or two academic years of verifiable, full-time teaching experience in the area of visually handicapped within grades prekindergarten-12.
- c. Passing of the Arizona Teacher Proficiency Examination.
5. Standard speech and language therapy certificate—grades K-12 valid six years, renewable. Requirements are:
- a. A Bachelor's degree from a regionally accredited institution;
- b. Forty-five semester hours of education courses from a regionally accredited institution. Thirty of these semester hours must be in speech and language, to include courses which teach the skills as set forth in R7-2-605, including a minimum of 200 clock hours of supervised clinical practice in speech and language disorders. All clinical practice clock hours must be supervised by an American Speech and Language Association certified pathologist or by a state-certified speech and language therapist and must be earned in a program conducted by a regionally accredited institution;
- c. Passing of the Arizona Teacher Proficiency Examination.
6. Provisional early childhood handicapped certificate—preschool, valid 5 years, nonrenewable. Requirements are to possess a valid Arizona special education certificate.
7. Standard early childhood handicapped certificate—preschool, valid 6 years, renewable. Requirements are:
- a. A Bachelor's degree from a regionally accredited institution;
- b. Forty-five semester hours of education courses from a regionally accredited institution. Twenty-one of these semester hours shall be in early childhood and early childhood special education to include the following courses which teach the skills as set forth in R7-2-605 (10):
- i. Courses shall cover the following content areas: foundations of early childhood handicapped; survey of exceptional children; developmental assessment of preschool handicapped; methods of teaching preschool handicapped children; study of child growth and development; normal and atypical language development; observation, participation, and field experience with preschool children; behavior management.
- ii. Other course content may include: play as an instructional strategy; working with families of handicapped children and culturally diverse populations; a typical development of preschool children (0-5 years); interdisciplinary and multi-disciplinary approaches to early childhood handicapped; early childhood handicapped adaptations for the severely handicapped child; theories of child development; introduction to research; and practicum in medical aspects of disabilities.
- c. A minimum of 8 semester hours of student teaching in the area of early childhood handicapped preschool or 2 academic years of verifiable, full-time teaching experience in the area of early childhood handicapped. The student teaching hours shall not be included in the 21 semester hours of early childhood education course work.
- d. Passing of the Arizona Teacher Proficiency Examination.
- E. Administrative and other professional certificates.
1. Guidance counselor certificate—grades K-12, valid 6 years, renewable. Requirements are:
- a. A Master's degree from a regionally accredited institution; and
- b. Completion of a graduate program in guidance and counseling from a regionally accredited institution to include a supervised counseling practicum.
2. Supervisor certificate—renewable with concurrently held teaching certificate. Required for directors, supervisors, coordinators, consultants, or other titles with similar supervisory duties, prekindergarten-12. Requirements are:
- a. Arizona elementary, secondary, or special education certificate.
- b. A Master's degree or more advanced degree from a regionally accredited institution;
- c. Three years of verifiable classroom teaching;
- d. A minimum of 45 graduate semester hours taken from a regionally accredited institution. This shall include the completion of a program in educational supervision which shall consist of a minimum of 18 graduate semester hours or a minimum of 18 graduate semester hours in educational administrative course work, either of which shall include courses which teach the skills as set forth in R7-2-605.
- e. Internship in educational supervision, or 2 years of verifiable, educational supervisory experience within grades prekindergarten-12.

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3. Principal certificate—grades prekindergarten-12, valid for 6 years, renewable as specified in R7-2-601(N). Required for all principals, assistant principals, associate principals, or vice principals or others with similar administrative duties. Requirements are:
 - a. A Master's degree or more advanced degree from a regionally accredited institution.
 - b. Three years of verifiable classroom teaching.
 - c. A minimum of 54 graduate semester hours taken from a regionally accredited institution. This shall include the completion of a program in educational administration for principals which shall consist of a minimum of 30 graduate semester hours in educational administrative course work, either of which shall include courses which teach the skills as set forth in R7-2-605.
 - d. Internship in educational principalship or 2 years of verifiable experience in the areas of principal, assistant principal, associate principal, or vice principal within grades prekindergarten-12.
 4. Superintendent certificate—grades prekindergarten-12, valid for 6 years, renewable as specified in R7-2-601(N). Required for district chief executive officers regardless of title, superintendents, assistant or associate superintendents, and others with similar district-level administrative duties. Requirements are:
 - a. A Master's degree or more advanced degree from a regionally accredited institution.
 - b. Three years of verifiable classroom teaching.
 - c. A minimum of 60 graduate semester hours taken from a regionally accredited institution. This shall include the completion of a program in education administration for superintendents which shall consist of a minimum of 36 graduate semester hours or a minimum of 36 graduate semester hours in educational administrative course work, either of which shall include courses which teach the skills set forth in R7-2-605.
 - d. Internship in superintendency or 2 years of verifiable experience as superintendent, assistant or associate superintendent within grades prekindergarten-12.
 5. School psychologist certificate grades prekindergarten-12, valid 6 years, renewable as specified in R7-2-601(N). Requirements are:
 - a. Complete, as part of or in addition to a Master's degree or more advanced degree from a regionally accredited institution, 60 graduate semester hours and an internship of 1,000 clock hours in a school psychology program accredited by the American Psychological Association, National Association of School Psychologists, or a program in school psychology from a regionally accredited institution. The completion of such a program must be verified in writing by the institution where completed; or
 - b. Written verification that applicant has been granted a diploma in school psychology by the American Board of Professional Psychology.
- F. Substitute certificate—grades K-12 valid for 6 years and renewable for 6-year intervals by reapplication and payment of renewal fee, not subject to the provisions of R7-2-601(N).
1. Entitles holder to substitute in the absence of a regular contract teacher.
 2. Requires a Bachelor's degree or completion of a teacher education program offered by a regionally accredited institution, to include student teaching or 2 years of classroom teaching within grades K-12.
3. A substitute teacher may not be assigned a contract teaching position, and is limited to 120 days in the same school each school year.
4. Substitute certificates previously issued as valid for life under this rule shall remain valid for life.
- G. Emergency teaching certificate valid 1 school year or part thereof.
1. Entitles holder to enter into a teaching contract.
 2. Limited to elementary, secondary, special education, and special subject and nonteaching endorsements.
 3. Requirements are:
 - a. Verification by the school district superintendent and concurrence by the county school superintendent that an emergency employment situation exists. When the school requesting emergency status is a Bureau of Indian Affairs school, a Bureau of Indian Affairs grant school, or a tribally controlled or contract school, concurrence by a county school superintendent is not required.
 - b. A Bachelor's degree or completion of a teacher education program, taken from a regionally accredited institution including student teaching or 2 years of classroom teaching within grades K-12.
 4. Reissuance requirements are:
 - a. Verification by the school district superintendent and concurrence by the county school superintendent that an emergency employment situation exists.
 - b. Six semester hours toward meeting the requirements for certification for which application has been made, taken during the last valid period of the certificate.
- H. Emergency substitute certificate—valid 1 school year or part thereof and limited to 120 days of substitute teaching in elementary, secondary, or special education. Applicant must possess a high school diploma for initial issuance of the certificate.
1. Entitles holder to substitute in the specified county.
 2. Requires a request from the school district superintendent and concurrence by the county school superintendent. When the requesting school is a Bureau of Indian Affairs school, a Bureau of Indian Affairs grant school, or a tribally controlled or contract school, concurrence by a county school superintendent is not required.
 3. Pursuant to R7-2-601(D) and (G), applicants shall submit verification of completion of a minimum of 30 semester hours of academic course work from a regionally accredited institution. Applicants who have not completed a minimum of 30 semester hours of academic course work must complete 2 semester hours of academic course work to qualify for each reissuance.
 - a. District in-service programs designed for professional growth of the certificate holder may be substituted for academic course work based on 15 in-service classroom hours for each semester hour.
 - b. Verification of district in-service hours shall be made in writing by the district superintendent or personnel director and submitted to the Certification Unit when applying for this certificate.
 4. The holder of an emergency substitute certificate may not fill a vacancy in a contract teaching position and may not serve in any 1 classroom more than 20 working days.

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I. Teaching intern certificate. Designed to provide for the professional improvement needs of the young developing professionals:

1. This certificate is limited to a 2-year period and is not renewable.
2. This certificate requires the recommendation of the Dean of a College of Education.
3. The intern certificate will entitle the holder to carry intern or paraprofessional duties in whatever grades or levels assigned.
4. The student must be engaged in clinical experience under the direct supervision of qualified college and school organization personnel.

J. Adult education certification valid 6 years, renewable by reapplication and payment of renewal fee, not subject to the provisions of R7-2-601(N). May be issued in the areas of adult basic education, general education development, English as a second language, and citizenship. An adult education certificate to teach in any public school may be issued to individuals in the following categories for a period of 1 year:

1. A teacher in any college belonging to an approved accrediting association.
2. Holder of any Arizona teaching certificate.
3. An individual who has exhibited outstanding performance. The applicant must be a college graduate or have at least 5 years' successful experience in the field to be taught, supported by a letter of recommendation from another reputable worker in the same field and a letter of recommendation from the administrator for whom he or she intends to work to the effect that the individual is the best qualified teacher than available in that field. This certificate in and of itself does not entitle the holder to teach in a common school or high school for which regular state certification is required.

A. The standards presented in this section shall be the basis for approved administrative preparation programs, described in R7-2-604. The Arizona Administrator Proficiency Assessment shall assess proficiency in the standards as a requirement for certification of supervisors, principals, and superintendents, as set forth in R7-2-614.

B. Standard 1: The administrator facilitates the development, articulation, implementation, and management of an organization's mission. The performance assessment shall measure the extent to which the administrator:

1. Develops a mission statement for the organization;
2. Promotes support for and fulfillment of the organization's mission;
3. Provides purpose and direction for individuals and groups within the organization;
4. Demonstrates a knowledge of educational issues and how they affect students, schools, and the community;
5. Facilitates the development of strategic action plans, and goals in cooperation with the community;
6. Sets priorities in the context of community, student, faculty and staff needs;
7. Serves as an articulate spokesperson for the welfare of all students in a diverse community;
8. Describes the role of education in a democratic society within an historical context;
9. Uses documentation of his or her performance to design and continually update a professional development plan; and
10. Develops, implements, and monitors changes to the organization's mission to improve student achievement.

C. Standard 2: The administrator facilitates the success of all students by understanding, responding to, and influencing the social, cultural, and legal aspects of the community. The performance assessment shall measure the extent to which the administrator:

1. Develops procedures for defining mutual expectations;
2. Develops working relationships and strategies for formulating and implementing organizational policy and funding practices;
3. Adjusts local policy to state and federal requirements;
4. Develops procedures to recognize potential civil and criminal liabilities;
5. Develops procedures to provide for equal educational opportunities in educational programs;
6. Promotes the importance of understanding and appreciating the diversity in the community;
7. Applies strategies for addressing international issues affecting teaching and learning; and
8. Works effectively with policy makers.

D. Standard 3: The administrator implements positive and proactive communication strategies for effective parent and community involvement to improve the learning environment for all students. The performance assessment shall measure the extent to which the administrator:

1. Articulates organizational purpose and priorities to the community and news media;
2. Requests and responds to community feedback;
3. Demonstrates consensus building and conflict mediation;
4. Formulates and implements plans for internal and external communications;
5. Uses communications skills to strengthen community support;
6. Develops support for organizational priorities; and
7. Responds appropriately to the electronic and printed news media.

E. Standard 4: The administrator effectively manages services, programs, operations, and resources. The performance assessment shall measure the extent to which the administrator:

1. Demonstrates a knowledge and uses a variety of theories and models of organizations and of the principles of organizational development;
2. Defines and uses effective processes for gathering, analyzing, and using data for decision making;
3. Identifies, frames, and solves problems;
4. Identifies priorities and formulates plans of action to meet internal and external expectations;
5. Demonstrates project and time management skills;
6. Establishes procedures to regulate activities and projects;
7. Delegates at appropriate organizational levels;
8. Secures, allocates and manages human and material resources;
9. Utilizes staff evaluation and staff development systems to improve the performance of staff members;
10. Applies adult motivation research to select appropriate models for supervision of the organization;
11. Demonstrates understanding of employee benefits and alternative employee benefits packages;
12. Identifies the potential legal issues affecting school personnel selection, development, supervision, retention, and dismissal;
13. Demonstrates knowledge of student services and programs for which students may be categorically eligible;

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14. Evaluates and promotes improved organizational morale;
 15. Demonstrates knowledge of social agencies and services available in the community;
 16. Promotes a safe and effective learning environment; and
 17. Applies to daily practice the ethical conduct of the profession.
- F. Standard 5: The administrator advocates and supports curricular and instructional programs which promote the success of students. The performance assessment shall measure the extent to which the administrator:
1. Demonstrates knowledge of curriculum design;
 2. Develops a strategic plan that enhances teaching and learning;
 3. Plans curriculum which anticipates occupational trends and their educational implications;
 4. Demonstrates understanding of instructional objectives using theories of cognitive development;
 5. Demonstrates a knowledge of alignment and sequence of curriculum which promotes student achievement;
 6. Demonstrates knowledge of valid and reliable performance indicators and testing procedures to measure student achievement;
 7. Demonstrates knowledge of assessment strategies to help students achieve at high levels;
 8. Utilizes current technologies which support management and instructional functions;
 9. Exhibits knowledge of an instructional management system that includes research findings on learning, motivation, instructional strategies, instructional time, and resources to maximize student achievement;
 10. Demonstrates knowledge of research findings on the use of a variety of instructional strategies that include multicultural sensitivity and various learning styles;
 11. Implements programs to help students develop as caring and informed citizens; and
 12. Describes and applies legal requirements affecting student supervision.

R7-2-604. Teacher-proficiency testing Professional Preparation Programs

- A. An applicant for either a basic or standard teaching certificate, or the equivalent thereof which might be later adopted by the State Board of Education ("Board") shall, in addition to other requirements, take a proficiency examination in reading, grammar, mathematics and additional competency areas as may be required by the Board.
- B. The Arizona Teacher Proficiency Examination is adopted as the proficiency examination. To qualify for an Arizona basic or standard certificate, an applicant must score at least 80 percent correct responses on each component of the proficiency examination.
- C. The proficiency examination will be administered not less than three times each calendar year, at such times and places as may be approved by the Department of Education ("Department").
- D. The Department may administer the Arizona Teacher Proficiency examination at times other than the regularly scheduled examinations where:
1. An applicant provides written evidence that an offer of employment has been made to the applicant that will require the applicant to obtain an Arizona basic or standard certificate prior to the next regularly scheduled examination; and
 2. The offer of employment to the applicant either occurred after the last regularly scheduled examination

or the applicant was unable to take the last regularly scheduled examination for reasons of physical disability; and

3. The applicant requests the administration of the examination at least five days in advance to enable the Department to prepare to administer the test.
- E. Applicants shall be afforded five testing opportunities within a nine-month period to receive a passing score on all components of the Arizona Teacher Proficiency examination.
1. Applicants shall be afforded three testing opportunities within a three-month period to receive a passing score on all components of the examination. Applicants who fail to pass may reapply after a three-month waiting period.
 2. Upon reapplication, applicants shall be afforded two testing opportunities within an additional three-month period. Reapplicants who fail to receive a passing score on all components of the examination may submit a new application after a one-year waiting period.
- F. The Board will determine test item validity, reliability and establish standard passing scores for the test.
- G. Test administration and security shall be the responsibility of the Department.
- H. Applicants shall pay a \$10.00 fee for each administration and evaluation, in whole or in part, of the Arizona Teacher Proficiency Examination.
- A. The Board shall evaluate and may approve the professional preparation programs of institutions in Arizona which request Board approval.
- B. Teacher preparation institutions may include, but are not limited to, universities and colleges, school districts, professional organizations, private businesses, charter schools, and regional training centers. At a minimum, the teacher preparation program shall include training in the standards described in R7-2-602 and a practicum which provides students in the program opportunities to observe and practice the standards under the supervision of certified teachers.
- C. The administrative preparation program shall include training in the standards described in R7-2-603 and a practicum which provides students in the program opportunities to observe and practice the standards under the supervision of certified administrators.
- D. Those institutions with Board approval shall provide, publicly, a statement of the type of approval the program has and for what period of time.
- E. Board-approved programs shall provide their program graduates with an institutional recommendation form for issuance of the appropriate Arizona certification. Institutional recommendations shall be on a form provided by the Department.
- F. Conditional approval may be granted for a 2 year period based on evaluation of the program. Representatives of the Department or the Board may conduct a site visit as part of the evaluation. The factors to be considered during the evaluation of the program are:
1. The written description of the unit that is primarily responsible for the preparation of teachers and other professional education personnel. The following documentation is required:
 - a. A listing of all programs designed to lead to certification of education personnel;
 - b. A program summary that includes the number of students and graduates by program for the prior year and the projected number of students by program for the next year;

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- c. The unit's statement of mission, purpose, and goals;
 - d. A listing of all full-time faculty in each program and their qualifications;
 - e. A description of criteria and policy for employment of part-time and full-time faculty;
 - f. Number of full-time and part-time faculty in each program; and
 - g. A listing of any other programs related to education not designed to lead to certification.
2. For the dean, director, or chair who is officially designated to represent the unit and assigned the authority and responsibility for its overall administration and operation, the following documentation is required:
 - a. A job description; and
 - b. A chart depicting administrative and organizational structure of the unit.
 3. The written policies and procedures for the operations of the unit.
 4. The unit's procedures for admission to all programs leading to certification. The following documentation is required:
 - a. The criteria for admission;
 - b. A list of basic skills that are assessed and the measures used to assess them;
 - c. The plan for remediation of basic skills deficiencies in students admitted to the program; and
 - d. A summary report of assessment results for students admitted for the past 3 years.
 5. The process by which the unit regularly monitors and evaluates its operation, its scope, the quality of its offerings, and effectiveness of its program. The following documentation is required:
 - a. The policies for conducting ongoing evaluations;
 - b. A summary of the findings of internal evaluations completed within the past 3 years;
 - c. A summary of the findings of external evaluations completed within the past 3 years, including follow-up studies of graduates; and
 - d. A summary of program modifications made as a result of internal and external evaluations.
 6. The process by which the unit assesses the academic and professional competency of each student upon completion of the program. The following documentation is required:
 - a. A listing of assessments used to evaluate academic and professional competency of students; and
 - b. A summary report of competency assessment outcomes for the past 3 years.
 7. The unit's curricula for teacher preparation, based on the professional standards described in R7-2-602 and the academic standards described in R7-2-301 and R7-2-302, and curricula for administrative preparation, based on the professional standards described in R7-2-603. The following documentation is required:
 - a. A listing of program requirements including the number of credit or clock hours required;
 - b. The course syllabus and objectives for each course with reference to the specific standards addressed; and
 - c. A description of the opportunities for observation and practice of the standards.
- G.** Full program approval may be granted by the Board for a 2 year period based on the following conditions:
1. An assurance that the elements documented for conditional approval are substantially unchanged or that a description of all changes has been provided for evaluation. Representatives of the Department or the Board may conduct a site visit as part of the evaluation. The following documentation is required:
 - a. A description of any changes in the unit's structure, mission statement, purpose, goals, full-time faculty, admissions criteria and policies or procedures since the last Board approval;
 - b. A summary of the findings of internal evaluations completed within the past 2 years;
 - c. A summary of the findings of external evaluations completed within the past 2 years, which includes follow-up studies of graduates;
 - d. A summary of recent program modifications made as a result of internal and external evaluations within the last 2 years; and
 - e. If any changes to the standards have been adopted since the program's last Board approval, a description of changes to the curriculum.
 2. That at least 75% of the program graduates from the prior 2 years successfully completed the professional knowledge portion of the Arizona Teacher Proficiency Assessment on their 1st attempt.
 3. If at least 60%, but less than 75% of the program graduates successfully completed the professional knowledge portion of the Arizona Teacher Proficiency Assessment on their 1st attempt, conditional approval of the program may be extended for 1 year upon approval by the Board of an improvement plan.
 4. When an applicant has attended more than 1 institution to complete a professional preparation program, performance on the proficiency assessment shall be attributed to the institution where a practicum was successfully completed.
- R7-2-605. Teacher Education Skill Requirements Duties of the Director of Certification**
- A.** Elementary and secondary. Requirements are:
- i. Classroom management:
 - a. Demonstrates knowledge of and applies time-on-task principals:
 - i. Organizes and manages classroom to make maximum use of instructional time.
 - b. Organizes time, space, materials, and equipment for instruction:
 - i. Demonstrates knowledge of time management techniques in teacher planning.
 - c. Demonstrates a commitment and positive attitude toward teaching and learning and the subject being taught:
 - i. Demonstrates methods for creating and maintaining a climate that promotes student self-motivation.
 - ii. Demonstrates knowledge of positive methods for dealing with absenteeism.
 - d. Uses instructional techniques, a variety of teaching methods, media and interactive technologies, such as laser discs, telecommunications and computers, related to the objectives:
 - i. Demonstrates skill in selection and use of resources that facilitate achieving goals and objectives.
 - ii. Demonstrates ability to use instructional equipment and other instructional aids,

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- including use of computers and other interactive technologies, in education.
- iii. Identifies activities to reach specific goals and objectives.
- iv. Demonstrates ability to utilize student-centered and subject-centered strategies for learning.
- v. Demonstrates ability to use relevant and varied instructional techniques to achieve goals and objectives.
- vi. Demonstrates ability to work with individuals, small groups, and large groups.
- vii. Implements learning activities in a logical sequence.
- e. Reinforces and encourages learner involvement in instruction:
 - i. Demonstrates methods for involving students in the decision-making process.
 - ii. Demonstrates ability to motivate students.
- f. Manages classroom interactions:
 - i. Identifies and demonstrates discipline related to the infraction.
 - ii. Demonstrates procedures for student management.
- g. Communicates with learners:
 - i. Uses written and oral expression with learners.
 - ii. Provides assessment feedback on student performance.
 - iii. Demonstrates knowledge of skills for teaching students how to listen.
 - iv. Demonstrates teacher listening and communication skills.
 - v. Demonstrates knowledge of skills for teaching an awareness of global perspectives, cultural systems, and communication skills across cultures.
- 2. Curriculum and instruction:
 - a. Demonstrates a knowledge of the school subject being taught and demonstrates its relevance:
 - i. Demonstrates knowledge through the use of skills in the content area in which one is teaching.
 - ii. Demonstrates the ability to use interdisciplinary approach to school curriculum.
 - b. Demonstrates knowledge of skills and theory involved in the teaching of language arts, science, social science, math and reading for elementary certification:
 - i. Demonstrates the ability to develop and use active participation that leads to learning; promotes positive attitudes toward the content areas; and enables pupils to solve practical and creative problems.
 - ii. Demonstrates the ability to teach the content areas through related field experiences, such as classroom observation, in which students utilize instructional strategies, such as teaching and managing investigations.
 - c. Demonstrates the ability to select and use interactive technologies in teaching.
- 3. Assessment and evaluation:
 - a. Obtains and uses information about the needs and progress of individual learners:
 - i. Demonstrates a knowledge of basis test terminology (e.g., raw score, percentiles, grade equivalents, stanines, and mean, median, mode, standard deviation, reliability, validity, and bias).
 - ii. Evaluates students according to consistent objective criteria.
 - b. Plans instruction to achieve selected objectives:
 - i. Specifies or selects learner objectives for lessons.
 - ii. Selects and/or constructs the tests to measure desired performance outcomes.
 - iii. Demonstrates ability to use a prepared lesson plan.
 - c. Refers learners with special problems to specialists:
 - i. Identifies exceptional students and demonstrates a knowledge of the referral process.
 - ii. Identifies and utilizes techniques for delivering services to handicapped students.
 - d. Obtains and uses information about the effectiveness of instruction to revise it when necessary:
 - i. Demonstrates knowledge of standardized tests and other assessment instruments.
 - ii. Demonstrates alternative techniques for corrective instruction when a goal or objective has not been achieved.
 - e. Demonstrates a proficient use of technology in assessing and evaluating student learning.
- 4. Growing and learning theories
 - a. Demonstrates knowledge of psychological foundations and principles:
 - i. Identifies knowledge of the emotional and physical causes for changes in student behavior.
 - ii. Demonstrates the purposes of assessment and evaluation.
 - iii. Identifies basic principles of psychology and characteristics common to child development and learning.
 - iv. Demonstrates knowledge of current principles of learning.
 - b. Develops positive self-concepts in learners:
 - i. Identifies and demonstrates methods to promote student's self-image.
- 5. Educational foundations
 - a. Organizes instruction to take into account individual differences among learners:
 - i. Demonstrates skills needed for working with students and parents from various cultural backgrounds, including an awareness of and appreciation for learning languages other than English.
 - ii. Demonstrates ability to use an Individual Education Plan (IEP).
 - iii. Organizes instruction that takes into account the developmental level of the learner and differences among learners in their rates of learning.
 - iv. Identifies and utilizes techniques to organize instruction to meet the needs of the "at-risk" student.
 - v. Demonstrates the ability to utilize interactive technologies in meeting the needs of individual learners.

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- b. Demonstrates knowledge of history and philosophy of education.
 - i. Demonstrates knowledge of major issues in U.S. Education and their historical, social, cultural, economic, and philosophical bases.
 - ii. Identifies the major purposes of public education and the major educational theorists.
 - iii. Demonstrates knowledge of curriculum development to include scope and sequence.
 - 6. Organization, administration and other
 - a. Demonstrates professional responsibilities:
 - i. Demonstrates communication skills with non-student public.
 - ii. Demonstrates knowledge of procedures necessary for achieving staff support and rapport in the school environment.
 - iii. Demonstrates knowledge of methods used in presenting student performance results to the public.
 - iv. Identifies techniques and strategies for parent-teacher conferences.
 - v. Understands responsibilities for professional tasks performed outside the classroom.
 - vi. Demonstrates knowledge of methods to involve parents in the school environment.
 - b. Engages in professional self-development:
 - i. Seeks and shares professional materials and ideas.
 - ii. Demonstrates knowledge of professional growth activities.
 - iii. Demonstrates the ability to utilize new technologies in the teaching/learning situation.
 - c. Demonstrates knowledge of Arizona school law and legal responsibilities:
 - i. Identifies statutory responsibilities for promotion/retention of students.
 - ii. Demonstrates knowledge of revenue sources.
 - iii. Demonstrates knowledge of laws of judicial rulings relevant to education, including student rights/responsibilities.
 - iv. Demonstrates knowledge of teacher rights and teacher responsibilities (legal and professional).
 - 7. Special education:
 - a. Demonstrates knowledge of legal rights of children with disabilities under federal, state, and local levels, including those related to employment, accessibility, and benefits.
 - b. Demonstrates basic knowledge and an understanding of the characteristics and etiologies of the various disabilities.
 - c. Demonstrates knowledge of the theoretical models for use with children with disabilities.
 - d. Understands the educational implications of possible deficits and deviations from normal growth and development.
 - e. Demonstrates knowledge of mainstreaming techniques.
 - f. Demonstrates skills in utilizing teaching techniques which include providing relevant information, corrective feedback, appropriate skill practice, and summarization of instruction.
 - g. Demonstrates knowledge of the interpersonal working of individualized education plan (IEP) teams and the ability to communicate effectively with other team members.
 - h. Demonstrates the ability to conduct class activities in a way to encourage appropriate interaction between students.
 - i. Demonstrates knowledge of intervention strategies designed to decrease the frequency and strength of inappropriate behaviors of children with disabilities.
 - j. Demonstrates knowledge of utilizing assessment results as a basis for selecting appropriate instructional levels.
 - k. Demonstrates the ability to utilize child-initiated learning experiences and integrates them into ongoing instruction.
 - l. Demonstrates the ability to develop programming which promotes independent performance.
 - m. Demonstrates respect for the worth and uniqueness of all individuals and shows sensitivity to the needs of others.
 - n. Demonstrates knowledge and an understanding of teaching methods, materials, media, and innovative practices related to the education of children with disabilities.
 - o. Demonstrates commitment and positive attitude toward teaching and learning in the areas of exceptionality.
- B. Administrative skill requirements**
- i. Supervisor skill requirements are:
 - a. Organization planning
 - i. Demonstrates ability to mobilize resources to accomplish organizational goals.
 - b. Program development
 - i. Demonstrates ability to develop and implement program objectives relating to curriculum and instructional goals.
 - ii. Demonstrates ability to coordinate use of key human resources, materials, facilities, and time in relation to expected goals.
 - iii. Demonstrates ability to recognize principles of instruction which when implemented achieve maximum student learning.
 - c. Staff development and evaluation
 - i. Demonstrates ability to determine the needs of staff for professional growth and development and establishes a program which leads to the attainment of goals.
 - ii. Demonstrates ability to evaluate and assess personnel.
 - d. Monitoring and evaluating programs
 - i. Demonstrates ability to evaluate productivity of programs as related to the goals and objectives of the school.
 - e. General requisites
 - i. Identifies and uses positive communication techniques.
 - ii. Demonstrates knowledge of budgetary process, including the Uniform System of Financial Records.
 - iii. Demonstrates ability to facilitate problem solving and decision making processes.
 - iv. Identifies the role of middle management and the interrelationships within the educational organization.
 - v. Demonstrates ability to comply with laws,

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- court decisions, state board rules, and local regulations.
2. Principal skill requirements are:
- a. Organizational planning
 - i. Demonstrates ability to establish organizational goals based upon assessment of needs.
 - ii. Demonstrates ability to utilize groups to address organizational goals.
 - b. Program development
 - i. Demonstrates ability to develop and implement program objectives relating to curriculum and instructional goals.
 - ii. Demonstrates ability to design instructional programs to meet the diagnosed needs of students.
 - iii. Demonstrates ability to identify classroom management techniques.
 - iv. Demonstrates ability to recognize principles of instruction which when implemented achieve maximum student learning.
 - v. Demonstrates ability to assess school and student achievement.
 - vi. Demonstrates ability to coordinate use of key human resources, materials, facilities, and time in relation to expected goals.
 - c. Staff development and evaluation
 - i. Demonstrates ability to determine the needs of staff for professional growth and development and establishes a program which leads to the attainment of goals.
 - ii. Demonstrates ability to evaluate and assess personnel.
 - d. General requisites
 - i. Demonstrates ability to create a positive work environment.
 - ii. Demonstrates ability to facilitate problem solving and decision making processes.
 - iii. Demonstrates knowledge of budgetary processes, including the Uniform System of Financial Records.
 - iv. Identifies and uses positive communication techniques.
 - v. Demonstrates ability to comply with laws, court decisions, State board rules, and local regulations.
 - e. Special education:
 - i. Demonstrates knowledge of P. L. 94-142 as amended; A.R.S. Title 15; A.A.C. R7-2-401 through R7-2-405; and Section 504 of the Rehabilitation Act.
 - ii. Demonstrates knowledge of the legal rights of children with disabilities under federal, state, and local levels, including those related to employment, accessibility, and benefits.
 - iii. Demonstrates basic knowledge and an understanding of the characteristics and etiologies of the various handicapping conditions.
 - iv. Understands the educational implications of possible deficits and deviations from normal growth and development.
 - v. Demonstrates knowledge of mainstreaming techniques.
 - vi. Demonstrates skills in utilizing teaching techniques which include providing relevant information, corrective feedback, appropriate skill practice, and summarization of instruction.
- vii. Demonstrates knowledge of intervention strategies designed to decrease the frequency and strength of inappropriate behaviors of children with disabilities.
- viii. Demonstrates the ability to develop programming which promotes individual learning.
- xi. Demonstrates knowledge and an understanding of federal, state, and local laws and district policies and procedures regarding confidentiality and due process.
- x. Demonstrates an understanding of the significant roles and influences of the parents in the total environment of handicapped children.
- xi. Demonstrates respect for the worth and uniqueness of all individuals and shows sensitivity to the needs of others.
- xii. Demonstrates knowledge and an understanding of teaching methods, materials, media, and innovative practices related to the education of children with disabilities.
3. Superintendent skill requirements are:
- a. Organizational planning
 - i. Demonstrates ability to formulate organizational goals based upon community input.
 - ii. Demonstrates ability to mobilize resources to accomplish organizational goals.
 - iii. Demonstrates ability to plan, design, and implement a systematic schedule for assessing goals and objectives.
 - b. Program development
 - i. Demonstrates ability to organize school curriculum.
 - ii. Demonstrates knowledge of designing instructional management programs.
 - c. Staff development and evaluation
 - i. Demonstrates ability to determine the needs of staff for professional growth and development and establishes a program which lead to the attainment of goals.
 - ii. Demonstrates ability to evaluate and assess personnel.
 - d. Evaluating productivity
 - i. Demonstrates ability to evaluate district productivity related to goals and objectives of school.
 - e. General requisites
 - i. Identifies the central importance of the superintendent as a communicator and advocate for quality education.
 - ii. Demonstrates knowledge of budgetary processes, including the Uniform System of Financial Records.
 - iii. Demonstrates ability to build local and state support for education.
 - iv. Demonstrates knowledge of political processes affecting education at the local, state, and national levels.
 - v. Demonstrates ability to comply with laws, court decisions, State board rules, and local regulations.
4. Business manager skill requirements are:
- a. Demonstrates the ability to manage, including:
 - i. Planning and organization develops a comprehensive plan and organizational structure for the implementation and operation of each

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- component of the business program.
 - ii. Personnel selection, supervision and evaluation recruits, interviews, selects, recommends for hiring, and assigns personnel to positions in the business program; creates a working climate the employees find satisfying; provides for evaluation of individuals within the program based on performance objectives and takes any necessary corrective action.
 - iii. Communication ensures appropriate personnel are continuously informed as to fiscal activities that would affect their operations.
 - iv. Program evaluation provides a system of continuous and periodic appraisal of each business operation along with the necessary financial controls to monitor and verify expenditures, revenue, and the adequacy of the budgets and the accounting program. Ensures the mathematical accuracy, legality, propriety and completeness of all financial transactions.
 - b. Demonstrates the ability to develop and administer financial plans and budgets.
 - e. Demonstrates the ability to manage financial accounting and reporting, including:
 - i. Implement the action of financial account system.
 - ii. Provision for the systematic verification and critical review of the financial operations.
 - d. Demonstrates the ability to manage purchasing, warehousing, and inventory, including:
 - i. Developing and supervising the purchasing system.
 - ii. Developing and supervising efficient warehousing and inventory system.
 - e. Demonstrates the ability to manage school property and risk management:
 - i. Establishing, coordinating, and monitoring a property accounting system.
 - ii. Determining the insurance needs and preparing a comprehensive plan for the management of the insurance program.
 - f. Demonstrates the ability to apply applicable laws, court decisions, rules and regulations including:
 - i. Arizona Revised Statutes.
 - ii. State Board of Education rules.
 - iii. The Uniform System of Financial Records (USFR).
 - iv. Attorney General opinions and court decisions.
 - v. Local governing board rules and regulations.
 - vi. Applicable federal rules and regulations.
- C. Special education skill requirements:
- i. Skill requirements for all special education certificates are:
 - a. Educational and technical foundation:
 - i. Demonstrates knowledge and understanding of the history and philosophy of regular and special education:
 - (1) Identifies major issues in U.S. education and special education and the historical, social, cultural, economic, and philosophical bases.
 - (2) Demonstrates knowledge of P. L. 94-142; Arizona Revised Statutes, Title 15; R7-2-401 through R7-2-405; and Section 504 of the Rehabilitation Act.
- (3) Demonstrates knowledge of legal responsibilities of schools, parents, and students.
- (4) Demonstrates the ability to use the fine arts (dance, drama, music or visual arts) in developing language, communication, and self-expression.
- ii. Demonstrates basic knowledge of normal child development:
 - (1) Demonstrates knowledge and understanding of normal development from the prenatal period to adulthood in the areas of emotional, physical, social, neurological, cognitive, and perceptual growth.
 - (2) Demonstrates basic knowledge and an understanding of the characteristics and etiologies of the various handicapped conditions.
 - (3) Demonstrates basic knowledge and an understanding of the role of the family in relationship to the development of the child.
- iii. Demonstrates knowledge and an understanding of the basic educational principles and psychology of learning:
 - (1) Understands the educational implications of possible deficits and deviations from normal growth and development.
 - (2) Demonstrates knowledge of the physical, nutritional, cultural, and environmental factors related to learning.
- iv. Demonstrates knowledge and an understanding of current research findings related to the area of exceptionality.
- v. Demonstrates knowledge of mainstreaming techniques.
- b. Identification, evaluation, and placement process:
 - i. Demonstrates skill needed to identify and refer students for screening who may be in need of special services and demonstrates ability to develop and implement screening programs.
 - ii. Demonstrates the ability to select, administer, and interpret a variety of standardized and non-standardized assessment instruments:
 - (1) Demonstrates the ability to interpret and communicate assessment results to evaluation team members and parents.
 - (2) Demonstrates the ability to write reports including diagnostic findings and recommendations.
 - iii. Actively participates in teacher/parent conferences including multi-disciplinary conferences, individualized education plan (IEP) meetings, and placement conferences:
 - (1) Demonstrates the ability to utilize assessment results to describe student's skill level and learning style in the development of the individualized education plan (IEP).
 - (2) Demonstrates the ability to prepare an individualized education plan (IEP) to comply with state and federal require-

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- ments:
- (3) Demonstrates skill in recommending placement for student in the most appropriate and least restrictive environment (LRE):
- iv. Demonstrates knowledge of the interpersonal working of individualized education plan (IEP) teams, and the ability to communicate effectively with other team members.
- e. Behavior and classroom management:
 - i. Structures the environment to maximize learning:
 - (1) Organizes and manages the classroom to provide for the learning, physical, and social needs of each student through maximal use of instructional time and materials.
 - (2) Organizes activities and supervises use of equipment and materials to promote student health and safety.
 - (3) Demonstrates skill to develop a flexible time schedule that provides for learning, physical, and social needs of each student.
 - (4) Demonstrates the ability to operate and care for specialized equipment.
 - (5) Demonstrate methods for creating and maintaining a climate that promotes student self-motivation, self-discipline, and self-worth.
 - (6) Demonstrates methods for involving students in the decision-making process, as appropriate.
 - ii. Demonstrates knowledge and an understanding of a variety of behavior management techniques appropriate to manage individual and group behavior:
 - (1) Demonstrates skill in acknowledging appropriate behaviors in each student in order to stimulate continued effort.
 - (2) Demonstrates the ability to facilitate age appropriate social behavior in individual and group situations.
 - (3) Demonstrates skill to provide appropriate assessment feedback as to student behavior.
 - (4) Demonstrates the ability to conduct class activities in a way to encourage appropriate interaction between students.
 - iii. Demonstrates skills for teaching students to be attentive.
 - iv. Demonstrates skill to listen to and communicate effectively with students.
 - v. Demonstrates the ability to appropriately utilize, develop, and maintain individual case files and school records.
- d. Curriculum and instruction:
 - i. Demonstrates the ability to work with curricula across all grade levels, to include reading decoding skills and decoding:
 - (1) Demonstrates knowledge of how to formulate the sequence of and to assess short and long term instructional goals and objectives to meet individual needs.
 - (2) Identifies the purpose, importance, and limitations of psychoeducational testing, and its relationship to curricula.
 - ii. Demonstrates knowledge of selecting appropriate instructional strategies for remediation:
 - (1) Demonstrates knowledge of utilizing diagnostic results as a basis for selecting appropriate instructional levels.
 - (2) Demonstrates the ability to design, select, and adapt instructional materials with primary reference to the learner's developmental skill level.
 - (3) Demonstrates the ability to use instructional equipment and other instructional aids, including the use of computers.
 - (4) Demonstrates the ability to implement teaching procedures and individualized education plans (IEPs) with individuals, small groups, and large groups, including effective use of instructional aids.
 - (5) Demonstrates the ability to utilize child-initiated learning experiences and integrates them into ongoing instruction.
 - iii. Demonstrates the ability to develop programming which promotes independent performance.
 - iv. Demonstrates an awareness of leisure and recreational needs of and opportunities for handicapped individuals.
 - v. Demonstrates an awareness of current career and vocational education and employment for handicapped individuals.
 - vi. Demonstrates the ability to select and use interactive technologies in teaching.
- e. Professional development and responsibilities:
 - i. Demonstrates knowledge and an understanding of federal, state, and local laws and district policies and procedures regarding confidentiality and due process.
 - ii. Demonstrates an understanding of the significant roles and influences of the parents in the total environment of handicapped children.
 - iii. Demonstrates effective communication techniques including conflict management and resolution skills.
 - iv. Demonstrates respect for the worth and uniqueness of all individuals, and shows sensitivity to the needs of others.
 - v. Demonstrates knowledge and an understanding of teaching methods, materials, media, and innovative practices related to the education of handicapped individuals.
 - vi. Demonstrates an awareness of community and agency resources.
 - vii. Demonstrates the ability to provide support and consultant services as needed to regular education teachers, parents, and other school personnel:
 - (1) Demonstrates the ability to locate and share professional materials and ideas.
 - (2) Demonstrates the ability to share information regarding programs for the area of exceptionality with all school personnel.
 - (3) Demonstrates the ability to work with staff regarding identification, screening,

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- and referral procedures.
- vii. Demonstrates an understanding of expectations and values held by peers, fellow students, para-professionals, parents, etc., regarding the purpose of special education for handicapped individuals.
 - ix. Demonstrates skill necessary to utilize related services and support personnel (i.e., physical therapy, occupational therapy, speech therapy).
 - x. Demonstrates the ability to continue to improve professional skills and abilities through continuing education, involvement in special projects, and related community activities.
 - xi. Demonstrates skill in training and supervising aides and volunteers to reinforce and supplement classroom activities.
 - xii. Demonstrates a commitment and positive attitude toward teaching and learning in the areas of exceptionality.
 - xiii. Demonstrates knowledge and the ability to effectively respond to health and safety emergencies.
2. Mentally Handicapped skill requirements, in addition to the skills delineated in R7-2-605(C)(1), are:
- a. Demonstrates knowledge of the general characteristics of mental retardation, its causes, and implications.
 - b. Demonstrates the ability to teach sequentially appropriate skills (i.e., pre-academic, academic, vocational, social, leisure, and recreational).
 - c. Demonstrates the ability to facilitate appropriate social behavior in individual and group situations.
 - d. Demonstrates knowledge of procedures and techniques for counseling and training parents to meet the needs of their child.
 - e. Demonstrates the ability to recognize and teach appropriate developmental level skills.
 - f. Demonstrates skills necessary to utilize alternative communication systems.
 - g. Demonstrates knowledge and an understanding of the daily care needs of the mentally handicapped (i.e., feeding techniques, nutrition, toileting, bathing, hygiene, dressing, ambulation, safety).
 - h. Demonstrates knowledge of skills and theory involved in the teaching of reading and mathematics and in at least two of the following areas: language arts, science, and social studies.
3. Seriously Emotionally Handicapped skill requirements, in addition to the skills delineated in R7-2-605 (C)(1), are:
- a. Demonstrates knowledge of specific teaching techniques for diagnosis and remediation of learning problems manifested by seriously emotionally handicapped students.
 - b. Demonstrates knowledge of the theoretical models for use with seriously emotionally handicapped students.
 - c. Demonstrates knowledge of intervention strategies designed to result in appropriate behaviors by the student:
 - i. Demonstrates the ability to develop, strengthen, and maintain new appropriate behaviors of seriously emotionally handicapped students.
 - ii. Demonstrates skills in shaping behaviors by consistently applying consequences to behavior of seriously emotionally handicapped students.
 - d. Demonstrates knowledge of intervention strategies designed to decrease the frequency and strength of inappropriate behaviors of seriously emotionally handicapped students, including knowledge of appropriate restraining techniques and isolation procedures.
 - e. Demonstrates the ability to plan, manage, and evaluate behavioral interventions and strategies affecting seriously emotionally handicapped students, individually and in group situations.
 - f. Demonstrates the ability to utilize data as a basis for programming decisions affecting seriously emotionally handicapped students.
 - g. Demonstrates skills in utilizing individual and group counseling techniques.
 - h. Demonstrates knowledge of skills and theory involved in the teaching of reading and mathematics and in at least two of the following areas: language arts, science, and social studies.
4. Learning Disabled skills requirements, in addition to the skills delineated in R7-2-605(C)(1), are:
- a. Demonstrates knowledge of specific characteristics of learning disabled students as they relate to learning processes.
 - b. Demonstrates the ability to plan and implement individualized remediation programs utilizing appropriate methods and materials.
 - c. Demonstrates skills in implementing teaching instructions which include providing relevant information, corrective feedback, appropriate practice, and summarizing learning.
 - d. Demonstrates the ability to utilize data as a basis for programming decisions affecting learning disabled students.
 - e. Demonstrates knowledge of skills and theory involved in the teaching of reading and mathematics and in at least two of the following areas: language arts, science, and social studies.
5. Physically Handicapped skills requirements, in addition to the skills delineated in R7-2-605(C)(1), are:
- a. Demonstrates skills necessary to properly handle and position the physically handicapped.
 - b. Demonstrates skills necessary to utilize alternative communication systems and appropriate assisting devices, mobility training techniques, and specially adapted materials and equipment.
 - c. Demonstrates knowledge and an understanding of the daily care needs of the physically handicapped (i.e., feeding techniques, nutrition, toileting, bathing, hygiene, dressing, ambulation, safety).
 - d. Demonstrates knowledge of educational, emotional, and medical implications of the handicapping conditions (i.e., terminally ill, cerebral palsy, brain damage, spina bifida).
 - e. Demonstrates knowledge of the legal rights of the physically handicapped at the federal, state and local levels as to employment, accessibility, benefits, etc.
 - f. Demonstrates the ability to schedule and coordinate the delivery of support services to allow maxi-

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6. ~~mum—use of time by physical therapists, occupational therapists, speech therapists, adaptive physical education instructors, counselors, case managers, etc.~~
- ~~g. Demonstrates the ability to integrate support service techniques into the student's daily educational activities.~~
- ~~h. Demonstrates general knowledge of human anatomy, physiology, and neurology.~~
- ~~i. Demonstrates knowledge of skills and theory involved in the teaching of reading and mathematics and in at least two of the following areas: language arts, science, and social studies.~~
6. Hearing Handicapped skill requirements, in addition to the skills delineated in R7-2-605(C)(1), are:
- a. Demonstrates knowledge of audiology, speech science, language, and communication:
- i. Demonstrates knowledge of speech, auditory, and visual mechanisms, as well as anatomy and pathologies of these mechanisms.
- ii. Demonstrates knowledge of production of speech sounds, as well as knowledge of physical and psychophysical attributes of sound.
- iii. Demonstrates knowledge of the effects of hearing impairment on the perception and production of speech sounds.
- iv. Demonstrates knowledge of the steps of speech development in hearing and hearing-impaired children.
- v. Demonstrates knowledge of language acquisition development and structure, and the implications for education of hearing-impaired infants, children and young adults.
- vi. Demonstrates knowledge of the psychological characteristics of hearing-impaired students.
- b. Demonstrates knowledge of hearing testing procedures and interpretation to include knowledge of functioning, characteristics and maintenance of various types of amplification, and application to learning and instructional processes.
- c. Demonstrates skills in the areas of developing receptive and expressive communication in hearing impaired individuals:
- i. Demonstrates knowledge of the potential use of residual hearing to develop language and communication.
- ii. Demonstrates knowledge of the various modes of communication (audition, speech, sign reading, written communication, speech reading, finger spelling, etc.) and the research on the effectiveness of each mode.
- iii. Demonstrates the ability to integrate and implement audition, speech, and language objectives within a comprehensive communication program.
- iv. Demonstrates the ability to arrange the physical environment to facilitate receptive communication (i.e., speech reading, visual communication systems, and audition).
- v. Demonstrates knowledge of the effects of room acoustics on amplification.
- d. Demonstrates knowledge of skills and theory involved in the teaching of reading and mathematics and in at least two of the following areas: language arts, science, and social studies.
7. Visually Handicapped skill requirements, in addition to the skills delineated in R7-2-605(C)(1), are:
- a. Demonstrates skills in reading and writing:
- i. Standard English braille (Grades I and II),
- ii. Braille mathematics (Nemeth Code), and
- iii. Advanced areas as needed (i.e., foreign language braille, braille music, and scientific braille notation).
- b. Demonstrates skills in conveying meaning through various modes of communication (i.e., oral, tactual, and visual).
- c. Demonstrates the ability to evaluate and adapt print material as needed to visual and tactual learners.
- d. Demonstrates the ability to locate specialized media or devices based upon the unique needs of an individual learner.
- e. Demonstrates the ability to provide basic orientation (i.e., sighted guide, directionality, self-protective techniques).
- f. Demonstrates knowledge in anatomy and physiology of the eye, as well as eye pathology.
- g. Demonstrates knowledge of resources for assessment of, and ability to instruct low vision students.
- h. Demonstrates knowledge of skills and theory involved in the teaching of reading and mathematics and in at least two of the following areas: language arts, science, and social studies.
8. Speech and Language Therapy skill requirements, in addition to the skills delineated in R7-2-605(C)(1), are:
- a. Demonstrates knowledge of speech and language acquisition and development.
- b. Demonstrates knowledge of physical characteristics of sound production and description of phonetic properties of speech.
- c. Demonstrates knowledge of anatomical structures and their functions related to pre-speech and feeding skills, speech production, hearing mechanism and process.
- d. Demonstrates knowledge of specific problems of students with speech, language, or hearing disorders to include:
- i. Disorders of language comprehension and expression, including difficulties in word order, word meanings, word formation, and word retrieval.
- ii. Articulatory disorders.
- iii. Disorders of auditory perception and auditory memory.
- iv. Fluency and rate disorders.
- v. Voice disorders.
- e. Demonstrates knowledge of time management and case scheduling with consideration given to age, type of disorder, time available, and location of schools.
- f. Demonstrates knowledge of basic audiometric evaluation and interpretation of results.
- g. Demonstrates knowledge of augmentative communication systems such as total communication, Bliss symbols, communication boards, and electronic devices.
- h. Demonstrates knowledge of consultative model and need for regular communication with parents, other professionals, and staff.

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- i. Demonstrates knowledge of skills and theory involved in the teaching of reading and language arts.
- 9. Severely and Profoundly Handicapped skill requirements, in addition to the skills delineated in R7-2-605(C)(1), are:
 - a. Demonstrates skills necessary to properly handle and position the severely and profoundly handicapped when a physical disability is present.
 - b. Demonstrates knowledge of alternative communication systems and ability to adapt to meet the individual needs of the student.
 - c. Demonstrates knowledge and an understanding of the medical and psychological problems unique to the severely and profoundly handicapped individual.
 - d. Demonstrates knowledge and an understanding of the daily care needs of the severely and profoundly handicapped (i.e., hygiene, feeding techniques, nutrition, bathing, toileting, diapering techniques, dressing, and safety).
 - e. Demonstrates knowledge of specific teaching techniques for children with severe intellectual, physical, or sensory deficits, or any combination of these deficits.
 - f. Demonstrates the ability to identify alternative diagnostic tests for the severely and profoundly handicapped individual.
 - g. Demonstrates the ability to schedule and coordinate the delivery of support services to allow maximum use of time by physical therapists, occupational therapists, speech therapists, adaptive physical education counselors, case managers, etc.
 - h. Demonstrates the ability to integrate support service techniques into the student's daily education activities.
 - i. Demonstrates the ability to operate, care for, and maintain specialized equipment.
 - j. Demonstrates general knowledge of human anatomy, physiology, and neurology.
 - k. Demonstrates the ability to collect data as to student progress on a consistent basis.
- 10. Early childhood handicapped skill requirements, in addition to skills delineated in R7-2-605(C)(1), are:
 - a. Knowledge and understanding of theory and practices applicable to early education for non-handicapped preschool children, including curriculum, methods, materials, and other resources.
 - b. Knowledge and understanding of theories and practices applicable to education of the young handicapped child, including skill in observing, recording and analyzing the behavior of young children.
 - c. Knowledge and understanding of curricula, methods, and materials for the special needs of the preschool child.
 - d. Knowledge and understanding of identification and referral process and the ability to select, administer, and interpret formal (standardized) and informal (non-standardized) assessment instruments.
 - e. Knowledge and understanding of normal speech and language acquisition, strategies for assessing and evaluating speech, and language skills strategies for intervention.
 - f. Knowledge and understanding of the interaction between families, the cultural, social and physical environments, and the strategies that enhance a child's opportunity to achieve maximum growth and development.
 - g. Knowledge of the development of play behavior and its significance in the learning experience in early development of preschool children with special needs.
 - h. Knowledge and skill in the physical and environmental management of the preschool child with special needs.
- D. Bilingual endorsement. Requirements are:
 - 1. Foundations of instruction for teaching non-English language background and limited English proficient students:
 - a. Demonstrates knowledge of the historical, legal, theoretical, and sociological foundations of programs of instruction for non-English language background students.
 - b. Identifies major national and international models and prototypes of bilingual and English as second language programs and the components of such programs.
 - 2. Methods of teaching limited English proficient students:
 - a. Demonstrates knowledge of theories, approaches, methods, and techniques of first and second language teaching and the suitability of these methods for various age and language groups.
 - b. Demonstrates knowledge of theories, approaches, methods, and techniques of teaching reading, writing, and other academic skills in English and the native language to limited English proficient students.
 - c. Demonstrates the ability to apply appropriate methods for developing first and second language skills including listening, speaking, reading, and writing.
 - d. Demonstrates the ability to plan and present content lessons in both languages across curriculum areas using various teaching techniques.
 - e. Demonstrates the ability to incorporate the students' culture into the curriculum and classroom methodology.
 - f. Demonstrates knowledge of management techniques appropriate to classrooms containing students who have varying levels of proficiency and academic experiences in both languages.
 - g. Selects and applies classroom management techniques appropriate to various program and instructional models including methods of grouping and individualization according to students' linguistic and academic needs.
 - h. Assesses language proficiency and academic performance correctly in both languages and utilizes the results for program placement, prescription, grouping, reporting, and program planning.
 - i. Demonstrates the ability to evaluate instructional materials in terms of the students' linguistic, cultural, and academic needs.
 - j. Demonstrates the ability to present the regular district course of study to limited English proficient students by developing and adapting curriculum, instructional materials, instructional methods, and modes of evaluating students' content area knowledge.

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- k. Demonstrates the ability to develop students' language skills through the content areas.
 - l. Demonstrates the ability to collaborate with other education professionals such as content area teachers, classroom teachers, and counselors to assist in promoting the participation of limited English proficient students in all aspects of schooling.
 - m. Demonstrates the ability to apply State Board of Education criteria pursuant to R7-2-306(G)(3)(a) for reassessment of limited English proficient students to determine readiness to succeed without the bilingual or English as a Second Language (ESL) program.
3. Linguistics of American Indian linguistics:
- a. Demonstrates knowledge of the basic nature of language, language variation, language change, and the relation of language to society and culture.
 - b. Demonstrates knowledge of the nature of bilingualism and the process of becoming bilingual.
 - c. Demonstrates knowledge of the phonological, morphological, syntactic, semantic, and pragmatic characteristics of English and the students' other languages.
 - d. Demonstrates knowledge of the stages and processes of first and second language acquisition and the implications of these stages and processes for classroom instruction.
 - e. Demonstrates knowledge of the natural effects of contact between languages and the implications of these effects for instruction.
 - f. Demonstrates an awareness of cultural differences and similarities in patterns of communication and implications of these differences and similarities for instruction.
 - g. Regarding American Indian linguistics:
 - i. Demonstrates knowledge of the areas specified in R7-2-605(D)(3)(a) through (f) herein.
 - ii. Demonstrates knowledge of the development and use of tribal writing systems (orthographies).
 - iii. Demonstrates knowledge of the status and development of tribal language policies.
4. School, community, family culture, and parental involvement:
- a. Demonstrates ability to identify characteristics of a community, its development over time, the nature of family and social life, and the implications of these characteristics for instruction.
 - b. Demonstrates the ability to identify the nature of home, school, and community language use in a particular geographic setting and the implications of such language use for instruction.
 - c. Demonstrates the ability to apply knowledge of school, community, and family culture in maximizing the role of parents in the instruction of their children.
 - d. Demonstrates knowledge of the history, traditions, literature, and contributions of the students' cultural groups.
 - e. Demonstrates ability to prepare students to function effectively in a variety of social and cultural settings.
 - f. Demonstrates knowledge of the role of the school in the community and the implications of this for classroom instruction and parental involvement.
5. Methods of teaching and evaluating handicapped students from non-English language backgrounds: (Required for bilingual endorsements to special education certificates; optional for bilingual endorsements to elementary and secondary certificates.)
- a. Demonstrates ability to assess students' strengths, needs, and progress in English and the primary language through the use of formal and informal instruments and procedures appropriate for the given handicapping condition and level of English language proficiency.
 - b. Demonstrates the ability to determine and carry out instructional goals based on the identified needs of limited English proficient handicapped students.
 - c. Develops and adapts instructional methods and materials appropriate for the limited English proficient student according to the handicapping conditions.
 - d. Demonstrates the ability to collaborate with other education professionals to design an education program appropriate to the needs of limited English proficient students with specific handicapping conditions.
 - e. Demonstrates the ability to differentiate between language use patterns which arise from second language acquisition and bilingual development and those difficulties which arise from speech and language disability.
 - f. Demonstrates knowledge of cultural child-rearing practices and attitudes toward handicapping conditions applicable to the anticipated educational settings, and the implications for instruction and parental involvement.
6. Language proficiency:
- a. Demonstrates the ability to use the non-English language to provide instruction in all areas of the curriculum.
 - b. Demonstrates the ability to communicate effectively in the non-English language with parent and community members.
- E. English as a second language endorsement. Requirements are:
1. Foundations and methods of instruction for teaching non-English language background and limited English proficient students:
- a. Demonstrates knowledge of the historical, legal, theoretical, and sociological foundations of programs of instruction for non-English language background students.
 - b. Identifies major national and international models and prototypes of bilingual and English as a second language programs and the components of such programs.
 - c. Demonstrates knowledge of theories, approaches, methods, and techniques of first and second language teaching and the suitability of these methods for various age and language groups.
 - d. Demonstrates knowledge of theories, approaches, methods, and techniques of teaching reading, writing, and other academic skills in English to limited English proficient students.
 - e. Demonstrates the ability to apply appropriate methods for developing second language skills including listening, speaking, reading, and writing.

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- f. Demonstrates the ability to incorporate the students' culture into the curriculum and classroom methodology.
 - g. Demonstrates knowledge of management techniques appropriate to classrooms containing students who have varying levels of proficiency and academic experiences in both languages.
 - h. Selects and applies classroom management techniques appropriate to various program and instructional models including methods of grouping and individualization according to students' linguistic and academic needs.
 - i. Assesses language proficiency and academic performance correctly and utilizes the results for program placement, prescription, grouping, reporting, and program planning.
 - j. Demonstrates the ability to evaluate instructional materials in terms of the students' linguistic, cultural, and academic needs.
 - k. Demonstrates the ability to present the regular district course of study to limited English proficient students by developing and adapting curriculum, instructional materials, instructional methods, and modes of evaluating students' content area knowledge.
 - l. Demonstrates the ability to develop language skills through the content areas.
 - m. Demonstrates the ability to collaborate with other education professionals such as content area teachers, classroom teachers, and counselors to assist in promoting the participation of limited English proficient students in all aspects of schooling.
 - n. Demonstrates the ability to apply State Board of Education criteria pursuant to R7-2-306(G)(3)(a) for reassessment of limited English proficient students to determine readiness to succeed without the bilingual or ESL program.
 - o. Demonstrates the ability to teach and evaluate handicapped students from non English language backgrounds: (Required for English as a second language endorsements to special education certificates; optional for English as a second language endorsements to elementary and secondary certificates.)
 - i. Demonstrates ability to assess student strengths, needs, and progress through the use of formal and informal instruments and procedures appropriate for the given handicapping condition and level of English language proficiency.
 - ii. Demonstrates the ability to determine and carry out instructional goals based on the identified needs of limited English proficient handicapped students.
 - iii. Develops and adapts instructional methods and materials appropriate for the limited English proficient student according to the handicapping conditions.
 - iv. Demonstrates the ability to collaborate with other education professionals to design an education program appropriate to the needs of limited English proficient students with specific handicapping conditions.
 - v. Demonstrates the ability to differentiate between language use patterns which arise from second language acquisition and bilingual development and those difficulties which arise from speech and language disability.
 - vi. Demonstrates knowledge of cultural child-rearing practices and attitudes toward handicapping conditions applicable to the anticipated educational settings and the implications for instruction and parental involvement.
2. Linguistics or American Indian linguistics:
- a. Demonstrates knowledge of the basic nature of language, language variation, language change, and the relation of language to society and culture.
 - b. Demonstrates knowledge of the nature of bilingualism and the process of becoming bilingual.
 - c. Demonstrates knowledge of the phonological, morphological, syntactic, semantic, and pragmatic characteristics of English and the students' other languages.
 - d. Demonstrates knowledge of the stages and processes of first and second language acquisition and the implications of these stages and processes for classroom instruction.
 - e. Demonstrates knowledge of the natural effects of contact between languages and the implications of these effects for instruction.
 - f. Demonstrates an awareness of cultural differences and similarities in patterns of communication and the implications of these differences and similarities for instruction.
 - g. Regarding American Indian linguistics:
 - i. Demonstrates knowledge of the areas specified in R7-2-605(E)(2)(a) through (f) herein.
 - ii. Demonstrates knowledge of the development and use of tribal writing systems (orthographies).
 - iii. Demonstrates knowledge of the status and development of tribal language policies.
3. Nature and grammar of the English language:
- a. Demonstrates knowledge of the language specific features and rules of English phonology, morphology, and syntax.
 - b. Demonstrates knowledge of the ways in which meaning is conveyed and understood during oral and written interactions in English (pragmatics).
 - c. Demonstrates knowledge of the nonverbal English communication system.
 - d. Demonstrates knowledge of a variety of speech styles, registers, and levels of usage, and the implications of these variations for instruction.
4. School, community, family culture, and parental involvement:
- a. Demonstrates ability to identify characteristics of a community, its development over time, the nature of family and social life, and the implications of these characteristics for instruction.
 - b. Demonstrates the ability to identify the nature of home, school, and community language use in a particular geographic setting and the implications of such language use for instruction.
 - c. Demonstrates the ability to apply knowledge of school, community, and family culture in maximizing the role of parents in the instruction of their children.

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- d. Demonstrates the ability to acquire knowledge of the history, traditions, literature, and contributions of the students' cultural groups.
 - e. Demonstrates ability to prepare students to function effectively in a variety of social and cultural settings.
 - f. Demonstrates knowledge of the role of the school in the community and the implications of this for classroom instruction and parental involvement.
5. Second language learning experience:
- a. Demonstrates knowledge of the affective and linguistic processes in second language development.
 - b. Demonstrates ability to use a second language for basic survival needs and minimum courtesy requirements.
 - c. Demonstrates ability to read and understand simple printed materials dealing with basic survival and social needs in the second language.
 - d. Demonstrates ability to write a second language to meet limited practical needs.
- F. Middle level teacher endorsement. Requirements are:
- 1. Classroom management:
 - a. Demonstrates skills necessary to effectively manage groups of students in activity settings.
 - b. Demonstrates the ability to function calmly in a high activity environment.
 - c. Demonstrates the ability to function effectively in various organizational and staffing situations, such as team teaching, differentiated staffing, and multiple age groups.
 - 2. Curriculum and instruction:
 - a. Identifies techniques appropriate to curriculum objectives in the cognitive, affective, and psychomotor domain.
 - b. Demonstrates the ability to organize the curriculum to facilitate the developmental tasks of preadolescence and early adolescence.
 - c. Demonstrates a broad academic background with specialization in at least two allied areas of the curriculum.
 - d. Demonstrates the ability to teach problem-solving skills and to develop lessons which are inquiry oriented.
 - e. Demonstrates knowledge of reading techniques which will enable students to progress and improve their reading in the subject area.
 - f. Demonstrates knowledge of careers and the ability to help students explore careers.
 - 3. Assessment and evaluation:
 - a. Demonstrates skills needed to diagnose reading problems and provide a remedial program in the regular classroom.
 - b. Demonstrates the ability to skillfully use questioning techniques to achieve higher order thinking processes in students.
 - 4. Growing and learning theories:
 - a. Demonstrates an understanding of the developmental states of students in the middle level years and applies this in the classroom and the school as a whole.
 - b. Demonstrates knowledge of the preadolescent and early adolescent physical development including knowledge of physical activity needs and the diversity and variety of physical growth rates.
 - c. Demonstrates knowledge of the preadolescent and early adolescent intellectual development with emphasis on the transition from concrete to formal levels of mental development.
 - d. Demonstrates knowledge of the socio-emotional development including the need to adjust to a changing body.
5. Organization, administration, and other:
 - a. Demonstrates the ability to work with extracurricular activities in the school.
- G. Supervisor of psychologists. Requirements are:
- 1. Organization planning:
 - a. Demonstrates ability to mobilize resources to accomplish organizational goals.
 - 2. Program development:
 - a. Demonstrates ability to develop and implement program objectives relating to psychological services, curriculum, and instructional goals.
 - b. Demonstrates ability to coordinate use of key human resources, materials, facilities, and time in relation to expected goals.
 - c. Demonstrates ability to recognize principles of instruction which, when implemented, achieves maximum student learning.
 - 3. Staff development and evaluation:
 - a. Demonstrates ability to determine the needs of staff for professional growth and development and establishes a program which leads to the attainment of goals.
 - b. Demonstrates ability to evaluate and assess personnel.
 - 4. Monitoring and evaluating programs:
 - a. Demonstrates ability to evaluate productivity of programs as related to the goals and objectives of the school and district.
 - 5. General requisites:
 - a. Identifies and uses positive communication techniques.
 - b. Demonstrates knowledge of budgetary processes including the Uniform System of Financial Records.
 - c. Demonstrates ability to facilitate problem solving and decision making processes.
 - d. Identifies the role of middle management and the interrelationships within the educational organization.
 - e. Demonstrates ability to comply with laws, court decisions, State Board rules, and local regulations.
- H. Gifted endorsement. Requirements are:
- 1. Classroom management:
 - a. Demonstrates skill in using appropriate methods for teaching the gifted at the elementary or secondary levels.
 - b. Identifies and describes the characteristics, strengths, and weaknesses of major teaching-learning models used in gifted education.
 - c. Paces instruction based on the learning needs of gifted students.
 - 2. Curriculum and instruction:
 - a. Demonstrates ability to develop and implement curriculum for elementary or secondary programs for the gifted.
 - b. Identifies and describes a step by step process for curriculum development for the gifted.

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- e. Selects key ideas, concepts, and methods in the academic discipline.
 - d. Selects appropriate objectives for critical, productive, and higher level thinking skill development.
 - e. Identifies and implements teaching strategies for the major types of research procedures.
 - f. Identifies and implements teaching strategies for problem-solving techniques (e.g., creative, logical, critical).
 - g. Designs an appropriate sequence for content and skills objectives.
 - h. Constructs curriculum that builds on and extends the regular curriculum while avoiding repetition; develops broad conceptual understanding of learning.
 - i. Uses the major teaching-learning models with the gifted.
 - j. Selects or develops, and uses teaching materials appropriate for the gifted.
 - k. Identifies and describes characteristics, strengths, and weaknesses of major service-delivery models appropriate for gifted students.
3. Assessment, evaluation, and further research:
- a. Demonstrates skills in testing, measurement, screening, and identification of gifted students:
 - i. Identifies and describes categories of giftedness.
 - ii. Identifies and describes tests and other instruments appropriate for screening, identification, and diagnosis of the various categories of giftedness, including tests for special populations of the gifted, such as ethnic minorities, limited English proficient students, the economically disadvantaged, and the handicapped.
 - iii. Describes the issues involved in screening and identification of the gifted.
 - iv. Identifies and uses ethical guidelines in administering, interpreting, and maintaining records of tests and results.
 - v. Uses tests and instruments appropriately.
 - vi. Interprets tests and instruments appropriately.
 - b. Demonstrates knowledge of research and evaluation of programs for the gifted:
 - i. Identifies the major research studies and results related to education of the gifted.
 - ii. Describes the implications of research results for the development of programs for the gifted.
 - iii. Identifies appropriate methods and demonstrates skill in evaluating the progress of gifted students.
4. Growing and learning theories:
- a. Demonstrates knowledge and comprehension of the nature and needs of gifted students.
 - b. Recognizes and identifies common characteristics of gifted students.
 - c. Describes cognitive, emotional, and social development of the gifted.
 - d. Demonstrates knowledge of learning styles of gifted students.
5. Educational foundations:
- a. Demonstrates knowledge and comprehension of historical development of education for the gifted.
 - b. Identifies major influential individuals in the field of teaching the gifted and describes their contributions.
 - c. Defines major concepts and terms related to education of the gifted.
6. Organization, administration, and other:
- a. Demonstrates knowledge of national and state legislation, rules, and common law related to gifted programs:
 - i. Describes current federal and state legislation, rules, and case law governing gifted programs.
 - ii. Describes appropriate procedures for implementing current legislation, rules and common law in programs for the gifted.
 - b. Demonstrates skills in career and academic advisement of the gifted:
 - i. Identifies the major problems faced by gifted students in academic, career, social, and emotional areas.
 - ii. Uses appropriate methods for advising the gifted.
 - iii. Identifies a variety of careers of interest to the gifted and the educational requirements necessary to enter them.
 - c. Communicates with other teachers, administrators, and parents regarding program and student-related issues.
- I. Primary level endorsement. Requirements are:
1. Growing and learning theories. Demonstrates and applies basic knowledge of primary age child development:
- a. Demonstrates and applies basic knowledge of the primary age child's physical development to include fine motor, gross motor and sensory development;
 - b. Demonstrates and applies basic knowledge of the primary age child's cognitive development to include: critical thinking, problem-solving, curiosity, exploration, and learning styles according to the needs of primary age children;
 - c. Demonstrates an understanding of language development and acquisition, including verbal and non-verbal communication skills;
 - d. Demonstrates and applies basic knowledge of the primary age child's social-emotional growth.
2. Curriculum and instruction:
- a. Demonstrates ability to develop and implement an integrated curriculum based on the age and development of the primary age child;
 - b. Demonstrates ability to develop and implement a relevant curriculum which is child-centered and cognizant of the whole child as an active learner;
 - c. Demonstrates ability to develop and implement a curriculum which involves children in learning activities through play, art, music, movement, construction, and drama;
 - d. Demonstrates ability to develop and implement a curriculum designed to enhance children's self-esteem, sense of competence, motivation, curiosity, and positive feelings toward learning;
 - e. Demonstrates ability to develop and implement a curriculum which recognizes the importance of developing positive peer relationships and cooperative learning;

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- f. Demonstrates ability to develop and implement a curriculum which includes child-initiated learning activities;
 - g. Demonstrates ability to implement and integrate multicultural and anti-bias themes, literature, and experiences in all curriculum areas.
3. Evaluation and assessment:
- a. Uses screening and testing instruments to identify, assess, and evaluate;
 - b. Interprets and communicates results of formal and informal assessment instruments as they relate to the primary age child;
 - c. Maintains ongoing observation and recording of each child's progress to improve individual and group instruction;
 - d. Demonstrates the ability to include the family in assessing the child's development, in identifying strengths and needs and in setting goals.
4. Parent, family, and community involvement in primary education:
- a. Demonstrates an understanding of parents as partners in the educational process;
 - b. Demonstrates the ability to maintain an open, friendly, and cooperative relationship with each child's family, recognizing and accepting family and community cultural diversity;
 - c. Demonstrates the ability to involve the family and community in the education of the child which supports the child's relationship with his or her environment;
 - d. Provides opportunities to extend and enrich a child's understanding of the environment.
- J. School library media endorsement. Requirements are:
1. Professionalism:
- a. Exhibits comprehension of the role of the school library media center in a society and the interrelationships of all types of libraries and information agencies.
 - b. Works independently and collectively to advocate and promote opportunities to improve teaching and librarianship.
 - c. Engages in continuous self-evaluation and self-directed learning for professional growth.
 - d. Maintains an active interest in and contributes to appropriate local, state, regional, and national professional associations and publications.
 - e. Demonstrates a commitment to promoting intellectual freedom.
 - f. Exhibits ethical behavior.
 - g. Subscribes to the importance of cooperation and networking among libraries utilizing electronic communications such as FAX and electronic bulletin boards.
 - h. Responds sensitively to interrelationships with peers to achieve common goals.
2. Public relations, communications, and group dynamics:
- a. Maintains a teaching and learning environment in the school library media center.
 - b. Practices effective interpersonal relationships within the school community and communicates regularly and purposefully to further school goals and relates media program needs and accomplishments.
 - c. Listens and responds to information requests in a manner that encourages further inquiry and self-directed learning.
 - d. Develops and maintains an effective public relations program that communicates to the school board, students, teachers, administrative staff, parents, and the general public the vital contribution of the school library media program to learning.
 - e. Builds partnerships to support library media programs.
3. Instructional leadership and curriculum development:
- a. Participates fully in the curriculum development process at both the building and district levels.
 - b. Recommends, implements, and evaluates strategies for teaching and creative uses of resources including interactive technologies, i.e., utilizing laser discs and computers and distance learning.
 - c. Applies basic principles of instructional design in producing media for specific learning objectives.
 - d. Assists faculty and students in designing and producing resources.
 - e. Ensures that students experience literature and language that will promote positive attitudes and provide a basis for a lifetime of reading.
 - f. Provides activities and opportunities that enable students to assume responsibility for independent learning.
 - g. Assesses existing and emerging technologies for teaching and learning applications.
4. Collection development:
- a. Develops and puts into practice a continuous process for building the collection which includes resource needs assessment, selection policy and procedure creation, review, and implementation.
 - b. Exemplifies the school's philosophy, curricular, and instructional objectives in the selection of resources and equipment and development of the collection.
 - c. Enables students to meet their personal and developmental needs and teachers to meet their professional needs through acquisition and organization of an appropriate print and nonprint collection.
 - d. Identifies and applies criteria and techniques appropriate for evaluating resources in all formats and at all grade levels, including those produced locally by teachers and students.
 - e. Develops a partnership with teachers to ensure the resource evaluation and selection provides:
 - i. Curricular resources appropriate to the learner characteristics, such as ability levels, interests, physical and emotional needs, and learning styles.
 - ii. Curricular resources that reflect teaching styles and instructional strategies.
 - f. Recognizes the characteristics unique to existing and emerging technologies and to each information format in order to select resources according to their specific contribution to learning objectives and student needs.
 - g. Evaluates information resources (i.e., on-line research) available outside the school's collection and appropriately coordinates these with selection and purchase or production of resources to most effectively meet the school's goals and objectives.

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- h. Establishes processes and procedures that assure appropriate resources are available when needed, i.e., selection, acquisitions, circulation, resource sharing.
- 5. Organization:
 - a. Coordinates the acquisition process for resources, equipment, and supplies.
 - b. Implements standardized procedures for classifying, cataloging, and processing resources for the school's collection.
 - c. Organizes and maintains current bibliographic records.
 - d. Selects and uses appropriate circulation systems.
 - e. Implements and evaluates policies and procedures based on user needs.
 - f. Implements procedures for ongoing inventory and maintenance of resources and equipment.
- 6. Administration:
 - a. Works with teachers, administrators, and other library media professionals to establish library media program goals that are an integral part of the educational program of the school and district.
 - b. Develops and implements with teachers, administrators, and other library media professionals, a long-range planning process to identify comprehensive library media program goals, objectives, and strategies, and disseminates the plan to the school community.
 - c. Designs, establishes, and communicates policies and procedures that implement the school library media program.
 - d. Prepares, justifies, and administers the school library media program budget according to specific program goals.
 - e. Supports the instructional program of the school by effectively planning and arranging the use of school library media facilities.
 - f. Assigns, instructs, supervises, and evaluates clerks, technicians, volunteers, and student assistants.
 - g. Advocates, initiates, and implements formal and informal resource sharing agreements to provide increased availability and accessibility of information.
 - h. Works with teachers, administrators, and other library media professionals to evaluate the effect of the overall school library media program on the instructional program.
 - i. Applies research findings for the improvement of the school library media program.
 - j. Conducts action research to assist in developing and implementing an exemplary school library media program.
 - k. Assesses existing and emerging technologies for management and educational applications.
 - l. Facilitates the efforts of the school library media advisory committee which would include such individuals as administrators, teachers, students, parents, and other representatives of the community.

The Superintendent of Public Instruction or the Superintendent's designee shall be responsible for:

1. The issuance of the appropriate certificates based on the applicant's compliance with the statutes and rules; and
2. The approval of foreign transcript translation and evaluation agencies.

R7-2-606. Endorsements Proficiency Assessments

Endorsements are riders on certificates that note areas of expertise and, without fee, are automatically renewed with concurrently held certificates. A regionally accredited institution shall be an institution as defined in R7-2-601(G). Optional endorsements may be required by local governing boards:

1. Library media specialist endorsement, grades K-12, optional. Requirements are:
 - a. Arizona elementary, secondary, or special education certificate
 - b. A Master's degree in library and information science or in education with a major in library and information science.
 - c. One-year experience as a classroom teacher
2. Reading specialist endorsement, grades K-12. The reading endorsement is required for all personnel serving in the positions of reading specialist, reading consultant, remedial reading teacher, special reading teacher, or similar titles. Requirements are:
 - a. Arizona elementary, secondary, or special education certificate.
 - b. Eighteen semester hours of upper division or graduate level course work taken from a regionally accredited institution to include decoding, diagnosis and remediation of reading difficulties, research, and practicum or internship in reading.
3. Driver education endorsement. Requirements are:
 - a. An Arizona teaching certificate.
 - b. A valid Arizona driver's license and course work in safety education, driver and highway safety education, and driver education laboratory experience; or 3 years of experience as a driver education teacher.
 - c. Course work in safety education, driver and highway safety education, and driver education laboratory experience.
 - d. A driving record with no more than 6 violation points and no revocation or suspension of driver's license within 2 years prior to application.
 - e. If endorsement is denied on basis of an unacceptable driving record, the applicant must, in order to be considered for certification, maintain a driving record free of convictions from moving violations or chargeable accidents for 2 years after the last conviction.
4. Art, music, dance, dramatic arts, physical education, or technology education endorsement, grades K-12. The content area endorsement is required for all personnel whose sole assignment is as the primary deliverer of that content area. Certified teachers employed as the primary deliverer of dance or dramatic arts prior to May 2, 1991, shall be exempt from this rule. Requirements are:
 - a. Arizona elementary, secondary, or special education certificate.
 - b. Elementary or secondary methods of teaching content area.
 - c. Thirty semester hours in content area.
5. Provisional bilingual education endorsement, grades K-12, valid 3 years, nonrenewable. A provisional bilingual education endorsement shall be required of all personnel serving as a bilingual classroom teacher, bilingual resource teacher, bilingual specialist, or other teacher responsible for providing bilingual instruction except for those persons possessing a bilingual education endorsement pursuant to this rule. Requirements are:

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- a. Arizona elementary, secondary, or special education certificate.
 - b. Proficiency in the language other than English as specified in subsection (6)(d).
6. Bilingual education endorsement, grades K-12. The bilingual education endorsement shall be required of all personnel serving as bilingual classroom teachers, bilingual resource teachers, bilingual specialists, or other teachers, bilingual resource teachers, bilingual specialists, or other teachers responsible for providing bilingual instruction except for those persons possessing a provisional bilingual education endorsement pursuant to this rule. The holder of this endorsement is authorized to teach English as a second language. Requirements are:
- a. Arizona elementary, secondary, or special education certificate.
 - b. Completion of an approved program in bilingual education or 21 semester hours from a regionally accredited institution in courses specified in this subsection. Fifteen of these hours shall be in courses at the upper division undergraduate or graduate levels. However, American Indian linguistics may be taken at the lower division undergraduate level, leaving a total of 12 semester hours required at the upper division undergraduate or graduate levels.
 - i. Three semester hours of courses in foundation of instruction for non-English language background students.
 - ii. Nine semester hours of upper division undergraduate or graduate level course in methodology appropriate to the grade level of the certificate to include:
 - (1) Bilingual methods, materials, and curriculum, student assessment, and teaching reading and writing in the native language. These courses shall have been taught using the non-English language in which proficiency is to be verified pursuant to this subsection.
 - (2) English as a second language for bilingual settings and teaching reading and writing to limited English proficient students.
 - iii. Three semester hours of courses in linguistics to include:
 - (1) Upper division undergraduate or graduate level courses in psycholinguistics, sociolinguistics, 1st language acquisition, and 2nd language acquisition for language minority student; or
 - (2) American Indian language linguistics.
 - iv. Three semester hours of instruction in courses dealing with school, community, and family culture and parental involvement in programs of instruction for non-English language background students.
 - v. Three semester hours in courses at the upper division undergraduate or graduate level in methods of teaching and evaluating handicapped children from non-English language backgrounds. These hours are only required for bilingual endorsements on special education certificates.
 - vi. For elementary and secondary certificates only, 3 semester hours in courses selected from:
 - (1) Subsections (b)(ii), (iii), or (v);
 - (2) An upper division undergraduate or graduate level language course for teaching content areas in the non-English language in which proficiency is to be verified pursuant to this subsection;
 - (3) An upper division undergraduate or graduate level course on the nature and grammar of the English language.
 - c. Student teaching from a regionally accredited institution in a bilingual setting at the appropriate grade level of the certificate or 2 years of successful bilingual teaching experience at the appropriate grade level of the certificate, as verified in writing by the district superintendent or head of district.
 - d. Proficiency in the language other than English shall be verified by the language department of a regionally accredited institution except in the case of Spanish and American Indian languages.
 - i. Spanish language proficiency shall be demonstrated by passing the Arizona Classroom Spanish Proficiency Examination administered by the University of Arizona, Northern Arizona University, Arizona State University, or Grand Canyon University.
 - ii. American Indian language proficiency shall be verified in writing by an official designated by the appropriate tribe.
7. Provisional English as a second language (ESL) endorsement, grades K-12, valid 3 years, nonrenewable. The provisional ESL endorsement shall be required of all personnel serving in the capacity of ESL classroom teacher, ESL specialist, ESL resource teacher, or any other teacher responsible for providing ESL instruction except for those persons possessing an ESL endorsement pursuant to this rule. Requirements are:
- a. Arizona elementary, secondary, or special education certificate.
 - b. Six semester hours in courses specified in subsection (8)(b) of this rule, 3 of which shall be from subdivision (8)(b)(ii).
8. English as a second language (ESL) endorsement, grades K-12. The ESL endorsement shall be required of all personnel serving in the capacity of ESL classroom teacher, ESL specialist, ESL resource teacher, or any other teacher responsible for providing ESL instruction except for those persons possessing a provisional ESL endorsement pursuant to subsection (7). Individuals teaching in bilingual or English as a second language programs for 2 years may petition to have the courses in subsections (8)(b)(iv) and (8)(b)(v) waived upon receipt of a letter from the district superintendent or head of the district verifying that they have been successfully teaching in 1 or both programs for 2 years. Requirements are:
- a. Arizona elementary, secondary, or special education certificate.
 - b. Completion of a program in English as a second language or 21 semester hours from a regionally accredited institution in courses specified in subsections (8)(b)(i) through (v). Fifteen of these hours shall be in courses at the upper division undergraduate or graduate levels. However, American Indian linguistics may be taken at the lower

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- division undergraduate level, leaving a total of 12 semester hours required at the upper division undergraduate or graduate levels.
- i. Three semester hours of courses in linguistics to include:
- (1) Upper division undergraduate or graduate level courses in psycholinguistics, sociolinguistics, 1st language acquisition, and 2nd language acquisition for language minority students; or
 - (2) American Indian language linguistics.
- ii. Nine semester hours in courses appropriate to the grade level of the certificate to include ESL methods; the teaching of reading and writing to limited English proficient students and assessment of limited English proficient students. These courses shall be at the upper division undergraduate or graduate levels.
- iii. Three semester hours in courses at the upper division undergraduate or graduate levels on the nature and grammar of the English language.
- iv. Three semester hours of instruction in courses dealing with school, community, and family culture and parental involvement in programs of instruction for non-English language background students.
- v. Three semester hours of a supervised practicum or internship appropriate to the grade level of the certificate from a regionally accredited institution or 2 years of successful ESL or bilingual teaching experience at the appropriate grade level of the certificate as verified in writing by the district superintendent or head of district.
- e. Second language learning experience as documented by any of the following:
- i. Six semester hours in courses in a single second language;
 - ii. Completion of intensive language training by the Peace Corps, the Foreign Service Institute, or the Defense Language Institute;
 - iii. Placement by the language department of a regionally accredited institution in a 3rd-semester level;
 - iv. Placement at level 1 intermediate/low or more advanced score on the Oral Proficiency Interview as verified in writing by an official authorized by the American Council for the Teaching of Foreign Languages (ACTFL);
 - v. Passage of the Arizona Classroom Spanish Proficiency Examination administered by the University of Arizona, Northern Arizona University, Arizona State University, or Grand Canyon University;
 - vi. Demonstration of American Indian language proficiency as verified in writing by an official designate by the appropriate tribe;
 - vii. Second language learning experience equivalent to 6 semester hours as verified in writing by an official of the department of language, education, or English at a regionally accredited institution.
9. Middle level teaching endorsement, grades 5-9, optional. Requirements are:
- a. Arizona elementary or secondary certificate.
 - b. Six semester hours of upper division or graduate course work taken from a regionally accredited institution, in middle level professional education course work to include:
 - i. A course in early adolescent psychology;
 - ii. A course in middle level curriculum;
 - iii. Student teaching with grades 5-9 or 1 academic year of verifiable, full-time teaching experience within grades 5-9.
10. Provisional gifted endorsement, grades K-12, valid for 3 years, nonrenewable. The provisional gifted endorsement shall be required of all State Board-certified teachers of the gifted or those individuals serving positions with the gifted and those certificated teachers who daily instructional contacts include a majority of students gifted in that area of instruction, except for those individuals possessing a gifted endorsement pursuant to this rule. Requirements are:
- a. Arizona elementary, secondary, or special education certificate; and
 - b. Two years of teaching experience in a classroom or special program in which a majority of students are gifted in that area of instruction as verified in writing by the district superintendent or head of district; or 90 clock hours of documented in-service training in gifted education, to include the skills set forth in R7-2-605, as verified in writing by the school district governing board or its designee or completion of at least 6 semester hours of courses which teach the skills set forth in R7-2-605.
11. Gifted endorsement, grades K-12. The gifted endorsement shall be required of all State Board-certified teachers of the gifted or those individuals serving positions with the gifted and certificated teachers whose daily instructional contacts include a majority of students gifted in that area of instruction, except for those individuals possessing a provisional gifted endorsement pursuant to this rule. Requirements are an Arizona elementary, secondary, or special education certificate, and applicants must fulfill the requirements of 1 of the following 2 options:
- a. Option A. Three years of full-time experience in gifted education as a teacher, resource teacher, specialist, or other similar position, as verified in writing by the district superintendent or head of district plus a minimum of 135 clock hours of documented in-service training in gifted education or 9 semester hours in gifted education courses from a regionally accredited institution to include the skills set forth in R7-2-605, as verified by the school district governing board or its designee.
 - b. Option B.
 - i. Completion of 12 semester hours of courses dealing with the education of the gifted from a regionally accredited institution to include courses which teach the skills set forth in R7-2-605.
 - ii. Completion of 9 upper division undergraduate or graduate semester hours in an academic discipline such as science, mathematics, language arts, foreign language, social studies, psychology, fine arts, or computer science from a regionally accredited institution.
 - iii. Completion of 6 semester hours of practicum

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- with the gifted from a regionally accredited institution or 2 years of full-time teaching experience at the appropriate grade level of the certificate in a classroom or resource room for the gifted, verified in writing by the district superintendent or head of the district.
- iv. Fifteen clock hours of documented in-service training in gifted education, to include the skills set forth in R7-2-605, as verified in writing by the school district governing board or its designee, may be substituted for each hour of courses required in subsection (b) for a maximum of 6 semester hours.
12. Mathematics specialist endorsement, grades K-8, optional Requirements are:
- a. Arizona elementary or special education certificate.
- b. Three semester hours in the methods of teaching elementary school mathematics.
- c. Eighteen semester hours in mathematics education as follows:
- i. May include no more than 3 semester hours of in-service programs based on 15 classroom hours being equivalent to 1 semester hour;
- ii. Nine semester hours in mathematics content to include 3 of the following:
- (1) Algebraic concepts for teacher of elementary and middle school mathematics;
- (2) Probability and statistics for teachers of elementary and middle school mathematics;
- (3) Geometry concepts for teachers of elementary and middle school mathematics;
- (4) The nature and origin of mathematics for teachers of elementary and middle school mathematics;
- (5) Number theory concepts for teachers of elementary and middle school mathematics;
- iii. Nine semester hours in mathematics education to include 3 of the following:
- (1) Mathematics curriculum and instruction for the elementary and middle grades;
- (2) Teaching mathematics as problem solving in elementary and middle schools;
- (3) Mathematics diagnosis and remediation in elementary and middle schools;
- (4) Applications of technology in the teaching of elementary and middle school mathematics;
- (5) The cognitive growth and development of the mathematics learner in the elementary and middle grades.
13. Elementary foreign language endorsement, grades K-8, optional. Requirements are an Arizona elementary, secondary or special education certificate, and applicants must fulfill the requirements of 1 of the following 3 options:
- a. Option A:
- i. Proficiency in a language other than English shall be verified in writing by the appropriate language department of a regionally accredited institution. Such verification shall include proficiency in speaking, reading, and writing. American Indian language proficiency shall be verified in writing by an official designated by the appropriate tribe.
- ii. Three semester hours in the methods of teaching a foreign language or 2nd language at the elementary level.
- iii. Three semester hours in child development.
- b. Option B:
- i. Arizona bilingual education endorsement.
- ii. Three semester hours in child development.
- c. Option C:
- i. Arizona English as a second language (ESL) endorsement.
- ii. Proficiency in a language other than English shall be verified in writing by the appropriate language department of a regionally accredited institution. Such verification shall include proficiency in speaking, reading, and writing. American Indian language proficiency shall be verified in writing by an official designated by the appropriate tribe.
- iii. Three semester hours in child development.
- A. The Arizona Teacher Proficiency Assessment is adopted as the proficiency assessment for applicants for teaching certificates. The Arizona Administrator Proficiency Assessment is adopted as the proficiency assessment for applicants for administrative certificates.
- B. The subject knowledge portion of the Arizona Teacher Proficiency Assessment shall assess proficiency as described in R7-2-602(H) as a requirement for certification of elementary and secondary teachers and in R7-2-602(H) and R7-2-602(I) as a requirement for certification of special education teachers.
- C. The professional knowledge portion of the Arizona Teacher Proficiency Assessment shall assess proficiency as described in R7-2-602(I) as a requirement for certification of elementary, secondary, special education, and vocational teachers.
- D. The performance portion of the Arizona Teacher Proficiency Assessment shall assess proficiency as described in R7-2-602(B), R7-2-602(C), R7-2-602(D), R7-2-602(E), R7-2-602(F), and R7-2-602(G) as a requirement for certification of elementary, secondary, and special education teachers.
- E. The Arizona Administrator Proficiency Assessment shall assess professional knowledge and performance as described in R7-2-603 as a requirement for certification of administrators, supervisors, principals, and superintendents.
- F. The passing score for each assessment shall be determined by the Board using the results of validity and reliability studies. The passing score for each assessment shall be reviewed by the Board at least every 3 years.
- G. The proficiency assessments for professional knowledge and subject knowledge shall be administered at least 6 times each calendar year, at times and places determined by the Department.
- H. The provisional elementary, secondary, or special education certificate allows the beginning teacher up to 4 semesters or 2 school years of teaching experience before completing the performance assessment portion of the Arizona Teacher Proficiency Assessment.
1. If the teacher has not been employed in a teaching position for 4 semesters or 2 school years, the certificate shall, upon the written request of the holder, be extended once for the equivalent of the time the teacher was not employed during the provisional certification period.
2. If the teacher has been employed for 4 semesters or 2 school years but has not successfully completed the per-

formance assessment, the certificate shall be extended once, for 1 year, upon the written request of the holder.

- I.** If the provisionally certified teacher has not successfully completed the performance assessment by the expiration date on the extended certificate pursuant to (H)(1) or (H)(2) of this section, the individual may reapply for a provisional certificate after 1 year, upon verification of the following:

1. Efforts to remediate deficiencies identified in the performance assessment;
2. Passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment taken in the past year; and
3. Completion of the requirements for the provisional certificate which are in effect at the time of reapplication.

R7-2-607. Vocational Education Certification General Certification Provisions

Certificates. Except as noted, all certificates are subject to the general certification provisions specified in R7-2-601. A regionally accredited institution shall be an institution as defined in R7-2-601(G).

1. Provisional vocational education certificate in the area of agriculture—grades K-12, valid 2 years, renewable as specified in R7-2-601(P). Requirements are:
 - a. A Bachelor's degree from a regionally accredited institution to include 18 semester hours in the area to be taught.
 - b. Two thousand clock hours of occupational experience in the area to be taught.
2. Basic vocational education certificate in the area of agriculture—grades K-12, valid 6 years, renewable as specified in R7-2-601(O). Requirements are:
 - a. Qualification for the provisional vocational certificate in the area of agriculture.
 - b. Thirty semester hours in agriculture with 5 semester hours in 3 of the following: animal science; plant science including soils; agricultural engineering; economics or agricultural economics or agricultural resources.
 - c. Eighteen semester hours of professional preparation with course work in each of the following areas: methods of teaching agriculture; curriculum and materials of instruction; student teaching in agriculture within grades K-12.
 - d. Two years of classroom teaching in agriculture with grades K-12 may be accepted in lieu of the student teaching.
3. Provisional vocational education certificate in the area of marketing—grades K-12, valid 2 years, renewable as specified R7-2-601(P). Applicants must meet all of the requirements in 1 of the following 2 options:
 - a. Option A: six thousand clock hours of occupational experience in the area to be taught.
 - b. Option B:
 - i. A Bachelor's degree from a regionally accredited institution with a major in marketing.
 - ii. Six semester hours in each of the following: management and finance.
 - iii. Two thousand clock hours of occupational experience in the area to be taught or directed observation course in marketing occupations.
4. Basic vocational education certificate in the area of marketing—grades K-12, valid 6 years, renewable as specified in R7-2-601(O). Requirements are:

- a. Qualification for Option B for provisional vocational certificate in the area of vocational marketing.
 - b. Twelve semester hours of professional vocation preparation course work in the following: methods of teaching marketing; curriculum and materials of instruction for marketing; and student teaching in marketing or business within grades K-12.
 - e. Two years of classroom teaching in marketing or business within grades K-12 may be accepted in lieu of student teaching.
5. Provisional vocational education certificate in the area of health occupations—grades K-12, valid 2 years, renewable as specified in R7-2-601(P). Applicants must meet all of the requirements in 1 of the following 2 options:
- a. Option A:
 - i. Applicable professional licensure in a health occupations area taught in the Arizona public schools.
 - ii. Six thousand clock hours of work experience in a health occupation within the last 6 years.
 - b. Option B:
 - i. A Bachelor's degree in a biological science, health science, physical science or social science.
 - ii. Applicable professional license in a health occupations area taught in Arizona public schools.
6. Basic vocational education certificate in the area of health occupations—grades K-12, valid 6 years, renewable as specified in R7-2-601(O). Requirements are:
- a. Qualification for the provisional vocational education certificate in the area of health occupations.
 - b. Twelve semester hours of course work to include each of the following: methods of teaching; curriculum development and evaluation.
 - c. Two thousand clock hours of work experience in the area to be taught, within the last 6 years.
7. Provisional vocational education certificate in the area of family and consumer sciences—grades K-12, valid 2 years, renewable as specified in R7-2-601(P). Requirements are:
- a. A Bachelor's degree from a regionally accredited institution.
 - b. Thirty semester hours in family and consumer sciences with 1 course in each of the following: life span development; family or human relations; clothing and textiles or merchandising; nutrition; health or food preparation; facility management; housing or interior design; consumer economics or family resources; culinary arts; and laboratory directed experience in child care or elder care.
 - e. Two thousand clock hours of verified occupational employment in family and consumer sciences in the area to be taught or 5 semester hours of internship in family and consumer sciences, completed within the last 6 years.
8. Basic vocational education certificate in the area of family and consumer sciences—grades K-12, valid 6 years, renewable as specified in R7-2-601(O). Applicants must meet all of the requirements in 1 of the following 2 options:
- a. Option A:
 - i. Qualification for provisional vocational edu-

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- education certificate in the area of family and consumer sciences:
- ii. Eighteen semester hours in professional preparation course work to include each of the following: methods of teaching occupational family and consumer sciences; student teaching in vocational family and consumer sciences within grades K-12.
 - iii. Two years of classroom teaching in vocational family and consumer science within grades K-12 may be accepted in lieu of the student teaching.
- b. Option B:
- i. Six thousand clock hours of work experience in the area to be taught, completed within the last 6 years.
 - ii. Fifteen semester hours in vocational education preparation course work to include methods of teaching occupational family and consumer sciences.
9. Provisional vocational education certificate in the area of business—grades K-12, valid 2 years, renewable as specified in R7-2-601(P). Requirements are:
- a. A Bachelor's degree from a regionally accredited institution.
 - b. Thirty semester hours in business and office course work.
 - c. Six semester hours in professional vocational preparation course work.
 - d. Two thousand clock hours' experience in business/office occupations or directed observation course in business/office occupations in the past 6 years.
10. Basic vocational education certificate in the area of business—grades K-12, valid 6 years, renewable as specified in R7-2-601(O). Requirements are:
- a. Qualification for provisional vocational education certificate in the area of business.
 - b. Twenty-one semester hours vocational preparation course work to include methods of teaching business and principles of vocational education.
11. Provisional vocational education certificate in the area of industrial technology—grades K-12, valid 2 years, renewable as specified in R7-2-601(P). Applicants must meet all of the requirements in 1 of the following 2 options:
- a. Option A:
- i. A Bachelor's degree with a major in vocational or industrial technology from a regionally accredited institution; and
 - ii. Two thousand clock hours of verified occupational experience in the area to be taught or hold an industry-recognized occupation certification or license.
- b. Option B:
- i. Six thousand clock hours of verified occupational experience or self employment in the area to be taught; or
 - ii. Hold an industry-recognized occupational certification or license.
12. Basic vocational education certificate in the area of industrial technology—grades K-12, valid 6 years, renewable as specified in R7-2-601(O) except as noted. Requirements are:
- a. Qualification for the provisional vocational education certificate in the area of industrial technology;
 - b. A Bachelor's degree from a regional accredited institution with a major in vocational education or industrial technology.
 - c. Fifteen semester hours in vocational education course work, to include methods of teaching industrial technology.
13. Cooperative education endorsement. The cooperative education endorsement K-12 entitles a vocational teacher to coordinate vocational programs. The provisional or basic vocational certificate in the areas of agriculture, marketing, health occupations, family and consumer sciences, business, and industrial technology may be endorsed with a cooperative education endorsement upon verification of completion of 1 course in vocational cooperative education:
- A. The evaluation to determine qualification for certification shall not begin until an institutional recommendation or application for certification and official transcripts, and the appropriate fees have been received by the Department. Course descriptions, verification of employment, and other documents may also be required for the evaluation.
 - B. The effective date of a new certificate shall be the date the evaluation is completed by the Department. The effective date of a renewed certificate shall be the date the evaluation for renewal is completed by the Department.
 - C. All 1-year certificates shall expire 1 year from the date of issuance. All certificates issued for more than 1 year shall expire on the holder's birth date in the year of expiration.
 - D. If an applicant has not met all the requirements for the certificate or endorsement at the time of evaluation, the applicant shall have a maximum of 2 years to complete those requirements and request reevaluation. One reevaluation shall be provided at no additional fee within 2 years of the original evaluation.
 - E. Only those degrees awarded by an accredited institution shall be considered to satisfy the requirements for certification.
 - F. Professional preparation programs, courses, practica, and examinations required for certification shall be taken at an accredited institution or a Board-approved teacher preparation program.
 - G. Only those courses in which the applicant received a passing grade or credit shall be considered to satisfy the requirements for certification.
 - H. All certificates issued by the Board before the effective date of this Article are considered to have been issued in conformance with these rules.
 - I. The Board shall issue a comparable Arizona certificate, if 1 has been established by R7-2-608, R7-2-609, R7-2-610, or R7-2-611, and shall waive the requirements for passing the professional knowledge and performance portions of the Arizona Teacher Proficiency Assessment, to an applicant who holds current certification from the National Board for Professional Teaching Standards.
 - J. Teachers in grades 7 through 12 whose primary assignment is in an academic subject required pursuant to R7-2-302 shall demonstrate proficiency by passing the appropriate subject area portion of the Arizona Teacher Proficiency Assessment. The subject areas of demonstrated proficiency shall be specified on the certificate. If a proficiency assessment is not offered in a subject area, an approved area shall consist of a minimum of 24 semester hours of courses in the subject.
 - K. Teachers of homebound students shall hold the same certificate that is required of a classroom teacher.

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R7-2-608. Certification Fees Elementary Teaching Certificates

A. The Director of Certification shall collect proper fees for certification services and shall transmit such funds to the State Treasurer. The following fees are established for certification services:

1. Issuance and evaluation, singly or both, including one year and multi-year provisional, temporary, standard, vocational, alternative, substitute, and adult education teaching certificates; alternative, provisional, and regular administrative certificates; non-teaching professional and specialized service certificates; school nurse certificates; special subject endorsements; emergency; and intern certificates: \$30.00.
2. Renewal of any certificate or endorsement, name change, duplicate, or changes of coding to existing files or certificates: \$20.00.
3. Processing of fingerprints through state and federal law enforcement agencies: \$32.00.

B. Fees shall be paid by money order, cashier's check, certified check, business check, or personal check and shall be made payable to the order of the Arizona Department of Education. In the event that a check offered in payment for services is not cleared by the financial institution, the applicant and the offices of the County Superintendents shall be notified.

C. Fees paid for certification services rendered shall not be refundable.

A. Except as noted, all certificates are subject to the general certification provisions in R7-2-607 and the renewal requirements in R7-2-617.

B. Provisional Elementary Certificate -- grades K-8

1. The certificate is valid for 2 years and is not renewable.
2. The requirements are:
 - a. A Bachelor's degree;
 - b. One of the following:
 - i. Completion of a teacher preparation program in elementary education from an accredited institution or a Board-approved teacher preparation program, described in R7-2-604; or
 - ii. Forty-five semester hours of education courses which teach the knowledge and skills described in R7-2-602, including at least 8 semester hours of practicum in grades K-8. Two years of verified teaching experience in grades Prekindergarten-8 may be substituted for the 8 semester hours of practicum; or
 - iii. A valid elementary certificate from another state.
 - c. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment; and
 - d. A passing score on the elementary education subject knowledge portion of the Arizona Teacher Proficiency Assessment.

C. Standard Elementary Certificate -- grades K-8

1. The certificate is valid for 6 years.
2. The requirements are:
 - a. Qualification for the provisional elementary certificate; and
 - b. A passing score on the performance portion of the Arizona Teacher Proficiency Assessment.

R7-2-609. Secondary Teaching Certificates

A. Except as noted, all certificates are subject to the general certification provisions in R7-2-607 and the renewal requirements in R7-2-617.

B. Provisional Secondary Certificate -- grades 7-12

1. The certificate is valid for 2 years and is not renewable.
2. The requirements are:
 - a. A Bachelor's degree;
 - b. One of the following:
 - i. Completion of a teacher preparation program in secondary education from an accredited institution or a Board-approved teacher preparation program, described in R7-2-604; or
 - ii. Thirty semester hours of education courses which teach the knowledge and skills described in R7-2-602, including at least 8 semester hours of practicum in grades 7-12. Two years of verified teaching experience in grades 7-postsecondary may substitute for the 8 semester hours of practicum; or
 - iii. A valid secondary certificate from another state.
 - c. A passing score on 1 or more subject knowledge portions of the Arizona Teacher Proficiency Assessment; and
 - d. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment.

C. Standard Secondary Certificate -- grades 7-12

1. The certificate is valid for 6 years.
2. The requirements are:
 - a. Qualification for the provisional secondary certificate; and
 - b. A passing score on the performance portion of the Arizona Teacher Proficiency Assessment.

R7-2-610. Special Education Teaching Certificates

A. Except as noted, all certificates are subject to the general certification provisions in R7-2-607 and the renewal requirements in R7-2-617.

B. Terms used in this section are defined in A.R.S. § 15-761.

C. Provisional Cross-Categorical Special Education Certificate - grades K-12

1. The certificate is valid for 2 years and is not renewable.
2. The holder is qualified to teach students with mild to moderate mental retardation, emotional disability, specific learning disability, orthopedic impairments and other health impairments.
3. The requirements are:
 - a. A Bachelor's degree;
 - b. One of the following:
 - i. Completion of a teacher preparation program in special education from an accredited institution, which included courses in mental retardation, emotional disability, specific learning disability, orthopedic impairments and other health impairments; or
 - ii. Forty-five semester hours of education courses which teach the standards described in R7-2-602, including 21 semester hours of special education courses and 8 semester hours of practicum with students representing at least 3 of the 5 disability areas. Special education courses shall include survey of exceptional students; teaching methodologies and strategies for students with disabilities; foundations course in mild to moderate mental retardation, learning disability, emotional disabilities, and physical/health impairment; and diagnosis and assessment of mild disabilities. Two years of

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- verified teaching experience in special education in grades K-12 may substitute for the 8 semester hours of practicum; or
- iii. A valid cross-categorical special education certificate from another state.
 - c. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment; and
 - d. A passing score on the cross-categorical special education portion of the Arizona Teacher Proficiency Assessment.
- D. Standard Cross-Categorical Special Education Certificate -- grades K-12**
- 1. The certificate is valid for 6 years.
 - 2. The holder is qualified to teach students with mild to moderate mental retardation, emotional disability, specific learning disability, orthopedic impairments and other health impairments.
 - 3. The requirements are:
 - a. Qualification for the provisional cross-categorical Special Education certificate; and
 - b. A passing score on the performance portion of the Arizona Teacher Proficiency Assessment.
- E. Provisional Specialized Special Education Certificate -- grades K-12**
- 1. The certificate is valid for 2 years and is not renewable.
 - 2. The holder is qualified to teach students with mental retardation, emotional disability, specific learning disability, orthopedic impairments or other health impairments, as specified on the certificate.
 - 3. The requirements are:
 - a. A Bachelor's degree;
 - b. One of the following:
 - i. Completion of a teacher preparation program in the specified area of special education from an accredited institution; or
 - ii. Forty-five semester hours of education courses which teach the knowledge and skills described in R7-2-602, including 21 semester hours of special education courses and 8 semester hours of practicum in the designated area of disability. Special education courses shall include survey of exceptional students; teaching methodologies for students with disabilities; foundations of instruction in the designated area of disability; and diagnosis and assessment of disabilities. Two years of verified teaching experience in the area of disability in grades K-12 may be substituted for the 8 semester hours of practicum; or
 - iii. A valid Severely and Profoundly Disabled certificate from another state.
 - c. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment; and
 - d. A passing score on the severely and profoundly disabled special education portion of the Arizona Teacher Proficiency Assessment.
- F. Standard Specialized Special Education Certificate -- grades K-12**
- 1. The certificate is valid for 6 years.
 - 2. The holder is qualified to teach students with mental retardation, emotional disability, specific learning disability, orthopedic impairments or other health impairments, as specified on the certificate.
- 3. The requirements are:
 - a. Qualification for the provisional Special Education certificate; and
 - b. A passing score on the performance portion of the Arizona Teacher Proficiency Assessment.
- G. Provisional Severely and Profoundly Disabled Certificate -- grades K-12**
- 1. The certificate is valid for 2 years and is not renewable.
 - 2. The requirements are:
 - a. A Bachelor's degree;
 - b. One of the following:
 - i. Completion of a teacher preparation program in severely and profoundly disabled education from an accredited institution; or
 - ii. Forty-five semester hours of education courses which teach the knowledge and skills described in R7-2-602, including 21 semester hours of special education courses and 8 semester hours of practicum. Special education courses shall include survey of exceptional students, teaching methodologies for students with severe and profound disabilities, foundations of instruction of students with severe and profound disabilities, and diagnostic and assessment procedures for students with severe and profound disabilities. Two years of verified teaching experience with students in grades Prekindergarten-12 who are severely and profoundly disabled may be substituted for the 8 semester hours of practicum; or
 - iii. A valid Severely and Profoundly Disabled certificate from another state.
 - c. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment; and
 - d. A passing score on the severely and profoundly disabled special education portion of the Arizona Teacher Proficiency Assessment.
- H. Standard Severely and Profoundly Disabled Certificate -- grades K-12**
- 1. The certificate is valid for 6 years.
 - 2. The requirements are:
 - a. Qualification for the provisional severely and profoundly disabled certificate; and
 - b. A passing score on the performance portion of the Arizona Teacher Proficiency Assessment.
- I. Provisional Hearing Impaired Certificate -- grades K-12**
- 1. The certificate is valid for 2 years and is not renewable.
 - 2. The requirements are:
 - a. A Bachelor's degree;
 - b. One of the following:
 - i. Completion of a teacher preparation program in hearing impaired education from an accredited institution; or
 - ii. Forty-five semester hours of education courses which teach the knowledge and skills described in R7-2-602, including 21 semester hours of special education courses for the hearing impaired and 8 semester hours of practicum. Special education courses shall include survey of exceptional students, teaching methodologies for students with hearing impairment, foundations of instruction of students with hearing impairment, and diagnostic

- and assessment procedures for the hearing impaired. Two years of verified teaching experience in the area of hearing impaired in grades Prekindergarten-12 may be substituted for the 8 semester hours of practicum; or
 - iii. A valid hearing impaired certificate from another state.
 - c. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment; and
 - d. A passing score on the hearing impaired special education portion of the Arizona Teacher Proficiency Assessment.
- J. Standard Hearing Impaired Certificate -- grades K-12
 - 1. The certificate is valid for 6 years.
 - 2. The requirements are:
 - a. Qualification for the provisional hearing impaired certificate; and
 - b. A passing score on the performance portion of the Arizona Teacher Proficiency Assessment.
- K. Provisional Visually Impaired Certificate -- grades K-12
 - 1. The certificate is valid for 2 years and is not renewable.
 - 2. The requirements are:
 - a. A Bachelor's degree;
 - b. One of the following:
 - i. Completion of a teacher preparation program in visual impairment from an accredited institution; or
 - ii. Forty-five semester hours of education courses which teach the knowledge and skills described in R7-2-602, including 21 semester hours of special education courses for the visually impaired and 8 semester hours of practicum. Special education courses shall include survey of exceptional students, teaching methodologies for students with visual impairment, foundations of instruction of students with visual impairment, and diagnostic and assessment procedures for the visually impaired. Two years of verified teaching experience in the area of visually impaired in grades Prekindergarten-12 may be substituted for the 8 semester hours of practicum; or
 - iii. A valid visually impaired special education certificate from another state.
 - c. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment; and
 - d. A passing score on the visually impaired special education portion of the Arizona Teacher Proficiency Assessment.
- L. Standard Visually Impaired Certificate -- grades K-12
 - 1. The certificate is valid for 6 years.
 - 2. The requirements are:
 - a. Qualifications for the provisional visually impaired certificate; and
 - b. A passing score on the performance portion of the Arizona Teacher Proficiency Assessment.
- M. Provisional Speech and Language Impaired Certificate -- grades K-12
 - 1. This certificate is valid for 2 years and is not renewable.
 - 2. The requirements are:
 - a. A Bachelor's degree;
 - b. One of the following:
 - i. Completion of a teacher preparation program in speech and language special education from an accredited institution; or
 - ii. Forty-five semester hours of education courses which teach the knowledge and skills described in R7-2-602, including 30 semester hours of special education courses for the speech impaired. Special education courses shall include survey of exceptional students, teaching methodologies for students with speech impairment, foundations of instruction of students with speech impairment, diagnostic and assessment procedures for the speech impaired, and a minimum of 200 clock hours of supervised clinical practice in providing speech and language impairment services. All clinical practice clock hours shall be supervised by an American Speech and Language Association-certified pathologist or by a state-certified speech and language therapist; or
 - iii. A valid Speech and Language Impaired special education certificate from another state.
 - c. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment; and
 - d. A passing score on the speech and language impaired special education portion of the Arizona Teacher Proficiency Assessment.
- N. Standard Speech and Language Impaired Certificate -- grades K-12
 - 1. The certificate is valid for 6 years.
 - 2. The requirements are:
 - a. Qualification for the provisional speech and language impaired certificate; and
 - b. A passing score on the performance portion of the Arizona Teacher Proficiency Assessment.
- O. Provisional Early Childhood Special Education Certificate -- Birth to 5 years
 - 1. The certificate is valid for 2 years and is not renewable.
 - 2. The requirements are:
 - a. A Bachelor's degree;
 - b. One of the following:
 - i. Completion of a teacher preparation program in early childhood special education from an accredited institution; or
 - ii. Forty-five semester hours of education courses which teach the standards described in R7-2-602, including child development and learning, language development, social and emotional development, curriculum development and implementation, and assessment and evaluation, early childhood special education, and 8 semester hours of practicum in early childhood special education. Two years of verified teaching experience in the area of early childhood special education may be substituted for the 8 semester hours of practicum; or
 - iii. A valid early childhood special education certificate from another state.
 - c. A passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment; and
 - d. A passing score on the early childhood special education portion of the Arizona Teacher Proficiency Assessment.
- P. Standard Early Childhood Special Education Certificate -- Birth to 5 years

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1. The certificate is valid for 6 years.
2. Requirements are:
 - a. Qualify for the provisional early childhood Special Education certificate; and
 - b. Passing score on the performance portion of the Arizona Teacher Proficiency Assessment.

R7-2-611. Vocational Teaching Certificates

- A. Except as noted, all certificates are subject to the general certification provisions in R7-2-607 and the renewal requirements in R7-2-617.
- B. Provisional Vocational Certificate - Agriculture -- grades K-12
1. The certificate is valid for 2 years.
 2. The requirements are:
 - a. A Bachelor's degree;
 - b. Eighteen semester hours of courses in agriculture; and
 - c. Two thousand clock hours of verified employment in agriculture in the last 6 years.
 3. The holder of this certificate shall receive a passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment before the second renewal of the provisional vocational certificate or the issuance of the standard vocational certificate.
- C. Standard Vocational Certificate - Agriculture -- grades K-12
1. The certificate is valid for 6 years.
 2. The requirements are:
 - a. Qualification for the provisional vocational certificate - Agriculture:
 - b. Thirty semester hours of courses in agriculture with 5 semester hours of courses in 3 of the following areas: animal science; plant science including soils; agricultural engineering; economics or agricultural economics; or agricultural resources; and
 - c. Eighteen semester hours of courses, to include the following areas: methods of teaching agriculture, curriculum and materials of instruction, and practicum in agriculture in grades K-12. Two years of experience teaching agriculture in grades K-12 may substitute for the practicum.
- D. Provisional Vocational Certificate - Business -- grades K-12
1. The certificate is valid for 2 years.
 2. The requirements are:
 - a. A Bachelor's degree;
 - b. Thirty semester hours of business and office courses;
 - c. Six semester hours of vocational education courses; and
 - d. Two thousand clock hours of verified employment in business/office occupations or a practicum in business/office occupations in the past 6 years.
 3. The holder of this certificate shall receive a passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment before the second renewal of the provisional vocational certificate or the issuance of the standard vocational certificate.
- E. Standard Vocational Certificate - Business -- grades K-12
1. The certificate is valid for 6 years.
 2. The requirements are:
 - a. Qualification for the provisional vocational certificate - Business; and
 - b. Twenty-one semester hours of vocational education courses, to include methods of teaching business and principles of vocational education.

- F. Provisional Vocational Certificate - Family and Consumer Sciences -- grades K-12
1. The certificate is valid for 2 years.
 2. The requirements are:
 - a. A Bachelor's degree;
 - b. Thirty semester hours of courses in family and consumer sciences with 1 course in each of the following: life span development; family or human relations; clothing and textiles or merchandising; nutrition, health or food preparation; facility management, housing or interior design; consumer economics or family resources; culinary arts; and practicum in child care or elder care; and
 - c. Two thousand clock hours of verified employment in family and consumer sciences or 5 semester hours of practicum in family and consumer sciences, completed in the last 6 years.
 3. The holder of this certificate shall receive a passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment before the second renewal of the provisional vocational certificate or the issuance of the standard vocational certificate.
- G. Standard Vocational Certificate - Family and Consumer Sciences -- grades K-12
1. The certificate is valid for 6 years.
 2. Applicants shall meet all of the requirements in 1 of the following options:
 - a. Option A:
 - i. Qualification for the provisional vocational certificate - Family and Consumer Sciences; and
 - ii. Eighteen semester hours of courses in vocational education to include methods of teaching family and consumer sciences.
 - b. Option B:
 - i. A Bachelor's degree;
 - ii. Six thousand clock hours of verified employment in family and consumer sciences, completed in the last 6 years; and
 - iii. Fifteen semester hours of courses in vocational education, to include methods of teaching family and consumer sciences.
- H. Provisional Vocational Certificate - Health Occupations -- grades K-12
1. The certificate is valid for 2 years.
 2. The requirements are:
 - a. A professional license in a health occupation and 6,000 clock hours of verified employment in a health occupation in the last 6 years; or
 - b. A Bachelor's degree in a biological science, health science, or physical science; 2,000 clock hours of verified employment in the area to be taught, completed in the past 6 years; and a professional license in a health occupation.
 3. The holder of this certificate shall receive a passing score on the professional knowledge portion of the Arizona Teacher Proficiency Assessment before the 2nd renewal of the provisional vocational certificate or the issuance of the standard vocational certificate.
- I. Standard Vocational Certificate - Health Occupations -- grades K-12
1. The certificate is valid for 6 years.
 2. The requirements are:
 - a. Qualification for the provisional vocational certificate - Health Occupations; and

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1. The certificate is valid for 6 years and renewable by reapplication.
2. The certificate entitles the holder to substitute in the temporary absence of a regular contract teacher. A person holding only a substitute certificate shall not be assigned a contract teaching position.

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5. The requirements for reissuance are:
 - a. Verification from the school district superintendent that an emergency employment situation exists;
 - b. Concurrence by the county school superintendent that an emergency employment situation exists; and
 - c. Six semester hours of courses toward meeting the requirements for the specified certificate or endorsement, completed since the last issuance of the emergency teaching certificate. If an applicant is enrolled in a Board-approved teacher preparation program, 90 clock hours toward completion of the program may substitute for the 6 semester hours.
 6. When the requesting school is a charter school, a Bureau of Indian Affairs school, a Bureau of Indian Affairs grant school, tribally controlled or contract school, concurrence by the county school superintendent shall not be required.
- E. Teaching Intern Certificate -- grades K-12**
1. The certificate is valid for 2 years and is not renewable.
 2. The intern certificate entitles the holder to perform intern or paraprofessional duties in whatever grades or levels are assigned.
 3. The requirements are:
 - a. Current enrollment in a teacher preparation program; and
 - b. A recommendation from the dean of a college of education or the administrator of a Board-approved teacher preparation program.
 4. The holder shall be under the direct supervision of college and certified school personnel.
- F. Adult Education Certificates**
1. The adult education certificates are issued for individuals teaching in the areas of Adult Basic Education, General Educational Development, English as a Second Language, or Citizenship.
 2. Provisional Adult Education Certificate.
 - a. The certificate is valid for 3 years and is not renewable.
 - b. The requirement for issuance is a Bachelor's degree or 3 years of experience as a teacher, tutor, or aide in an adult education program or in grades K-12. Up to 2 years of experience may be waived by postsecondary academic credit, with 30 semester hours equivalent to 1 year of experience.
 3. Standard Adult Education Certificate.
 - a. The certificate is valid for 6 years.
 - b. The requirements are:
 - i. One year of part-time or full-time teaching experience under a provisional adult education certificate, verified by an adult education program administrator; and
 - ii. Completion of 10 clock hours in a professional development program described in R7-2-617(B) since the issuance of the provisional adult education certificate.
 - c. The renewal requirements are completion of 60 clock hours in a professional development program, described in R7-2-617(B).
- G. Junior Reserve Officer Training Corps Teaching Certificate -- grades 9-12**
1. The certificate is valid for 6 years and is renewable upon application.
 2. The certificate is valid at any local education agency which conducts an approved Junior Reserve Officer Training Corps program of the Air Force, Army, Navy, or Marine Corps.
- 3. The requirements are:**
- a. Verification by the district of an approved Junior Reserve Officer Training Corps program of instruction in which the applicant will be teaching; and
 - b. Verification by the district that the applicant meets the work experience required by the respective military service.
- H. Athletic coaching certificate - grades 7-12**
1. The certificate is valid for 6 years.
 2. The certificate entitles the holder to perform coaching duties in interscholastic and extracurricular athletic activities. It is not required for teachers who hold a valid elementary, secondary or special education certificate.
 3. The requirements are:
 - a. Valid certification in first aid and Coronary and Pulmonary Resuscitation (CPR);
 - b. Completion of 15 semester hours of courses which shall include at least 3 semester hours in courses related to each of the following: methods of coaching; anatomy and physiology; sports psychology; adolescent psychology; and the prevention and treatment of athletic injuries; and
 - c. 250 hours of verified coaching experience in the sport to be coached. Coaching experience may include experience as a head coach or assistant coach in a school program or in an organized athletic league.
 4. Renewal requirements are:
 - a. Completion of 60 clock hours in a professional development program described in R7-2-617(B);
 - b. Valid certification in first aid and CPR.
- R7-2-613. Endorsements**
- A. An endorsement shall be automatically renewed with the certificate on which it is posted.**
- B. Except as noted, all endorsements are subject to the general certification provisions in R7-2-607.**
- C. Endorsements which are optional as specified herein may be required by local governing boards.**
- D. Special subject endorsements -- grades K-12.**
1. Special subject endorsements shall be issued in the area of art, computer science, dance, dramatic arts, music, or physical education.
 2. Special subject endorsements are optional.
 3. The requirements are:
 - a. An Arizona elementary, secondary, or special education certificate;
 - b. One course in the methods of teaching the subject at the elementary level;
 - c. One course in the methods of teaching the subject at the secondary level; and
 - d. One of the following:
 - i. Thirty semester hours of courses in the subject area; or
 - ii. A passing score on the subject area portion of the Arizona Teacher Proficiency Assessment, if an assessment has been adopted by the Board.
- E. Mathematics Specialist Endorsement -- grades K-8**
1. The mathematics specialist endorsement is optional.
 2. The requirements are:
 - a. An Arizona elementary or special education certificate;

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- b. Three semester hours of courses in the methods of teaching elementary school mathematics; and
 - c. Fifteen semester hours of courses in mathematics education for teachers of elementary or middle school mathematics.
- F. Reading Specialist Endorsement -- grades K-12**
- 1. The reading specialist endorsement shall be required of an individual in the position of reading specialist, reading consultant, remedial reading teacher, special reading teacher, or in a similar position.
 - 2. The requirements are:
 - a. An Arizona elementary, secondary, or special education certificate; and
 - b. Fifteen semester hours of courses to include decoding, diagnosis and remediation of reading difficulties, and practicum in reading.
- G. Elementary Foreign Language Endorsement -- grades K-8**
- 1. The elementary foreign language endorsement is optional.
 - 2. The requirements are:
 - a. An Arizona elementary, secondary or special education certificate.
 - b. Proficiency in speaking, reading, and writing a language other than English, verified by the appropriate language department of an accredited institution. American Indian language proficiency shall be verified by an official designated by the appropriate tribe.
 - c. Three semester hours of courses in the methods of teaching a foreign language at the elementary level.
- H. Bilingual Endorsements -- grades K-12**
- 1. A provisional bilingual endorsement or a bilingual endorsement is required of an individual who is a bilingual classroom teacher, bilingual resource teacher, bilingual specialist, or otherwise responsible for providing bilingual instruction.
 - 2. The provisional bilingual endorsement is valid for 3 years and is not renewable. The requirements are:
 - a. An Arizona elementary, secondary, or special education, or vocational certificate; and
 - b. Proficiency in a language other than English or sign language.
 - 3. The holder of the bilingual endorsement is also authorized to teach English as a 2nd language.
 - 4. The requirements are:
 - a. An Arizona elementary, secondary, special education, or vocational certificate;
 - b. Completion of a bilingual education program from an accredited institution or the following courses:
 - i. Three semester hours of foundations of instruction for non-English-language-background students;
 - ii. Three semester hours of bilingual methods;
 - iii. Three semester hours of English as a 2nd language for bilingual settings;
 - iv. Three semester hours of courses in bilingual materials and curriculum; assessment of limited-English-proficient students; teaching reading and writing in the native language; or English as a 2nd language for bilingual settings;
 - v. Three semester hours of linguistics to include psycholinguistics, sociolinguistics, first language acquisition, and 2nd language acquisition for language minority students; or
- American Indian language linguistics;
- vi. Three semester hours of courses dealing with school, community, and family culture and parental involvement in programs of instruction for non-English-language-background students; and
 - vii. Three semester hours of courses in methods of teaching and evaluating handicapped children from non-English-language backgrounds. These hours are only required for bilingual endorsements on special education certificates.
- c. A valid bilingual certificate or endorsement from another state may be substituted for the courses described in paragraph (b) of this section;
 - d. Practicum in a bilingual program or 2 years of verified bilingual teaching experience; and
 - e. Proficiency in a spoken language other than English, verified by the language department of an accredited institution except in the case of Spanish and American Indian languages. Spanish language proficiency shall be demonstrated by passing the Arizona Classroom Spanish Proficiency Examination approved by the Board. American Indian language proficiency shall be verified by an official designated by the appropriate tribe.
- I. English as a Second Language (ESL) Endorsements -- grades K-12**
- 1. An ESL or bilingual endorsement is required of an individual who is an ESL classroom teacher, ESL specialist, ESL resource teacher, or otherwise responsible for providing ESL instruction.
 - 2. The provisional ESL endorsement is valid for 3 years and is not renewable. The requirements are:
 - a. An Arizona elementary, secondary, or special education, or vocational certificate; and
 - b. Six semester hours of courses specified in paragraph (3)(b) of this section, including at least 1 course in methods of teaching ESL students.
 - 3. The requirements for the ESL endorsement are:
 - a. An Arizona elementary, secondary, special education, or vocational certificate;
 - b. Completion of an ESL education program from an accredited institution or the following courses:
 - i. Three semester hours of courses in foundations of instruction for non-English-language-background students. Three semester hours of courses in the nature and grammar of the English language, taken before January 1, 1999, may be substituted for this requirement;
 - ii. Three semester hours of ESL methods;
 - iii. Three semester hours of teaching of reading and writing to limited-English-proficient students;
 - iv. Three semester hours of assessment of limited-English-proficient students;
 - v. Three semester hours of linguistics; and
 - vi. Three semester hours of courses dealing with school, community, and family culture and parental involvement in programs of instruction for non-English-language-background students.
 - c. Three semester hours of a practicum or 2 years of verified ESL or bilingual teaching experience, verified by the district superintendent;

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d. Second language learning experience, which may include sign language. Second language learning experience may be documented by any of the following:

- i. Six semester hours of courses in a single 2nd language, or the equivalent, verified by the department of language, education, or English at an accredited institution;
- ii. Completion of intensive language training by the Peace Corps, the Foreign Service Institute, or the Defense Language Institute;
- iii. Placement by the language department of an accredited institution in a 3rd-semester level;
- iv. Placement at level 1-intermediate/low or more advanced score on the Oral Proficiency Interview, verified by the American Council for the Teaching of Foreign Languages;
- v. Passing score on the Arizona Classroom Spanish Proficiency Examination approved by the Board; or
- vi. Proficiency in an American Indian language, verified by an official designated by the appropriate tribe.

e. A valid ESL certificate or endorsement from another state may be substituted for the requirements described in paragraphs (b), (c), and (d) of this section.

J. Gifted Endorsements -- grades K-12

1. A gifted endorsement is required of individuals whose primary responsibility is teaching gifted students.
2. The provisional gifted endorsement is valid for 3 years and is not renewable. The requirements are an Arizona elementary, secondary, or special education certificate and 1 of the following:
 - a. Two years of verified teaching experience in which most students were gifted;
 - b. Ninety clock hours of verified in-service training in gifted education; or
 - c. Six semester hours of courses in gifted education.
3. Requirements for the gifted endorsement are:
 - a. An Arizona elementary, secondary, or special education certificate;
 - b. Completion of 9 semester hours of upper division or graduate level courses in an academic discipline such as science, mathematics, language arts, foreign language, social studies, psychology, fine arts, or computer science; and
 - c. Two of the following:
 - i. Three years of verified teaching experience in gifted education as a teacher, resource teacher, specialist, or similar position, verified by the district; or
 - ii. A minimum of 135 clock hours of verified in-service training in gifted education; or
 - iii. Completion of 12 semester hours of courses in gifted education. District in-service programs in gifted education may be substituted for up to 6 semester hours of gifted education courses. Fifteen clock hours of in-service is equivalent to 1 semester hour. In-service hours shall be verified by the district superintendent or personnel director. Practicum courses shall not be accepted toward this requirement; or
 - iv. Completion of 6 semester hours of practicum

or 2 years of verified teaching experience in which most students were gifted.

K. Library-Media Specialist Endorsement -- grades K-12

1. The library-media specialist endorsement is optional.
2. Requirements are:
 - a. An Arizona elementary, secondary, or special education certificate;
 - b. A passing score on the Library Media Specialist portion of the Arizona Teacher Proficiency Assessment. A Master's degree in Library Science may be substituted for a passing score on the assessment; and
 - c. One year of teaching experience.

L. Middle Grade Endorsement -- grades 5 - 9

1. The middle grade endorsement is optional. The middle grade endorsement may expand the grades a teacher is authorized to teach on an elementary or secondary certificate.
2. The requirements are:
 - a. An Arizona elementary or secondary certificate; and
 - b. Six semester hours of courses in middle grade education to include:
 - i. One course in early adolescent psychology;
 - ii. One course in middle grade curriculum; and
 - iii. A practicum or 1 year of verified teaching experience, in grades 5-9.

M. Drivers Education Endorsement

1. The drivers education endorsement is optional.
2. The requirements are:
 - a. An Arizona teaching certificate;
 - b. A valid Arizona driver's license;
 - c. One course in each of the following: safety education, driver and highway safety education, and driver education laboratory experience; and
 - d. A driving record with less than 7 violation points and no revocation or suspension of driver's license within the 2 years preceding application.

N. Cooperative Education Endorsement -- grades K - 12

1. The cooperative education endorsement is required for individuals who coordinate or teach vocational cooperative education.
2. The requirements are:
 - a. A provisional or standard vocational certificate in the areas of agriculture, business, family and consumer sciences, health occupations, marketing, or industrial technology; and
 - b. One course in vocational cooperative education.

R7-2-614. Administrative Certificates

- A. All certificates are subject to the general certification provisions in R7-2-607 and the renewal requirements in R7-2-617.
- B. **Supervisor Certificate -- grades Prekindergarten-12**
 1. The supervisor certificate is required for all personnel whose primary responsibility is administering instructional programs, supervising certified personnel, or similar administrative duties.
 2. The certificate may be renewed with a concurrently held teaching certificate. The expiration date shall be the same as the expiration date of the teaching certificate.
 3. The requirements are:
 - a. A standard elementary, secondary, or special education certificate;
 - b. A Master's or more advanced degree;
 - c. Three years of verified teaching experience in grades Prekindergarten-12;

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- d. Completion of a program in educational administration which shall consist of a minimum of 18 graduate semester hours of educational administration courses which teach the knowledge and skills described in R7-2-603;
- e. A practicum in educational administration or 2 years of verified educational administrative experience in grades Prekindergarten-12;
- f. A passing score on the professional knowledge portion of the Arizona Administrator Proficiency Assessment; and
- g. A passing score on the performance portion of the Arizona Administrator Proficiency Assessment.
- 4. A valid supervisor certificate from another state may be substituted for the teaching experience, program in educational administration, and practicum described in paragraphs (3)(c), (3)(d), and (3)(e) of this section.

C. Principal Certificate -- grades Prekindergarten-12

- 1. The principal certificate is required for all personnel who hold the title of principal, assistant principal, or others with similar administrative duties.
- 2. The certificate is valid for 6 years.
- 3. The requirements are:
 - a. A Master's or more advanced degree;
 - b. Three years of verified teaching experience in grades Prekindergarten-12;
 - c. Completion of a program in educational administration for principals including at least 30 graduate semester hours of educational administration courses teaching the knowledge and skills described in R7-2-603;
 - d. A practicum as a principal or 2 years of verified experience as a principal or assistant principal in grades Prekindergarten-12;
 - e. A passing score on the professional knowledge portion of the Arizona Administrator Proficiency Assessment; and
 - f. A passing score on the performance portion of the Arizona Administrator Proficiency Assessment.
- 4. A valid principal certificate from another state may be substituted for the teaching experience, program in educational administration, and practicum described in paragraphs (3)(b), (3)(c), and (3)(d) of this section.

D. Superintendent Certificate -- grades Prekindergarten-12

- 1. The superintendent certificate is required for superintendents, assistant or associate superintendents, district chief executive officers regardless of title, and others with similar district-level administrative duties.
- 2. The certificate is valid for 6 years.
- 3. The requirements are:
 - a. A Master's or more advanced degree including at least 60 graduate semester hours;
 - b. Completion of a program in educational administration for superintendents, including at least 36 graduate semester hours of educational administrative courses which teach the standards described in R7-2-603;
 - c. Three years of verified teaching experience in grades Prekindergarten-12;
 - d. A practicum as a superintendent or 2 years verified experience as a superintendent, assistant superintendent, or associate superintendent in grades Prekindergarten-12;

- e. A passing score on the professional knowledge portion of the Arizona Administrator Proficiency Assessment; and
- f. A passing score on the performance portion of the Arizona Administrator Proficiency Assessment.
- 4. A valid superintendent certificate from another state may be substituted for the program in educational administration, teaching experience, and practicum described in paragraphs (3)(b), (3)(c), and (3)(d) of this section.
- 5. Individuals who hold an Alternative Superintendent Certificate before the effective date of this rule shall be issued a Superintendent Certificate at the time of renewal. Individuals who were evaluated for an Alternative Superintendent Certificate before the effective date of this rule and who meet the qualifications in effect at the time of evaluation within 2 years of the evaluation shall be issued a Superintendent Certificate.

R7-2-615. Other Professional Certificates

- A. All certificates are subject to the general certification provisions in R7-2-607 and the renewal requirements in R7-2-617.
- B. **Guidance Counselor Certificate -- grades K-12**
 - 1. The guidance counselor certificate is valid for 6 years.
 - 2. The requirements are:
 - a. A Master's or more advanced degree;
 - b. Completion of a graduate program in guidance and counseling. A valid guidance counselor certificate from another state may substitute for this requirement; and
 - c. One of the following:
 - i. Completion of a supervised counseling practicum in school counseling;
 - ii. Two years of verified, full-time experience as a school guidance counselor; or
 - iii. Three years of verified teaching experience.
- C. **School Psychologist Certificate -- grades Prekindergarten-12**
 - 1. The school psychologist certificate is valid for 6 years.
 - 2. The requirements are:
 - a. A Master's or more advanced degree;
 - b. Completion of a graduate program in school psychology consisting of at least 60 graduate semester hours; and
 - c. A practicum of at least 1,000 clock hours.
 - 3. A valid school psychologist certificate from another state may be substituted for the completion of a program described in paragraph (2)(b).

R7-2-616. Fees

- A. The Superintendent of Public Instruction or the Superintendent's designee shall collect proper fees for certification services and shall transmit the fees to the State Treasurer. The following fees are established for certification services:
 - 1. Evaluation of qualification for a certificate: \$30.
 - 2. Evaluation of qualification for an endorsement: \$30.
 - 3. Renewal of a certificate: \$20.
 - 4. Name change, duplicate copy, or changes of coding to existing files or certificates: \$20.
 - 5. Processing of fingerprints through state and federal law enforcement agencies: \$32, unless a different fee is required to be paid to another state agency.
- B. The Superintendent of Public Instruction or the Superintendent's designee shall collect \$10 for each administration and evaluation, in whole or in part, of the Arizona Teacher Proficiency Assessment administered by the Department and shall transmit the fees to the State Treasurer.

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- C. Fees shall be paid by money order, cashier's check, certified check, business check, or personal check and shall be made payable to the order of the Arizona Department of Education. If a check offered in payment for services is not cleared by the financial institution, the applicant shall be notified to pay the fees by money order or certified check. If a certificate has been issued or renewed and payment is not received within 2 weeks of notification to the applicant, the Board shall file a statement of complaint pursuant to R7-2-1302. If a certificate or renewal has not been issued, no certificate or renewal shall be issued until the fees are paid by cashier's check or money order.
- D. Fees paid pursuant to this rule are not refundable.

R7-2-617. Renewal Requirements

- A. A certificate may be renewed within 6 months before it expires. A certificate may be renewed within 1 year after it expires if the individual is not employed under the certificate. Individuals whose certificates have been expired for more than 1 year shall reapply for certification under the requirements in effect at the time of reapplication.
- B. Renewal of certificates requires the completion of a professional development program after the most recent issuance or renewal of the certificate. A professional development program shall consist of any of the following activities:
1. Courses related to education or a subject area taught in Arizona schools, taken from an accredited institution. Each semester hour of courses shall be equivalent to 15 clock hours of professional development. The required documentation shall be an official transcript.
 2. Professional activities such as conferences and workshops. A maximum of 30 clock hours per year may be earned by attendance at professional conferences and workshops. The required documentation shall be a conference agenda and a statement or certificate from the sponsoring organization noting the clock hours earned.
 3. District-sponsored or school-sponsored in-services or activities which are specifically designed for professional development. The required documentation shall be written verification from the sponsoring district or school stating the dates of participation and the number of clock hours earned.
 4. Internships in business settings. The internship shall be based on an agreement between a business and a district or school with the stated objective of aligning teaching curriculum with workplace skills. A maximum of 80 clock hours may be earned through business internships. The required documentation shall be written verification by the sponsoring business and district or school stating the dates of participation and number of clock hours earned.
 5. Educational research. The research shall be sponsored by a research facility or an accredited institution or funded by a grant. The required documentation shall be the published report of the research or verification by the sponsoring agency; and a statement of the dates of participation and the number of clock hours earned.
 6. Serving in a leadership role of a professional organization. A maximum of 30 clock hours per year may be earned by serving in a leadership role of a professional organization. The required documentation shall be written verification by the governing body of the professional organization of the dates of service and clock hours earned.
 7. Serving on a visitation team for a school accreditation agency. A maximum of 60 clock hours per year may be

earned by serving on a visitation team. The required documentation shall be written verification from the accreditation agency of the dates of service and clock hours earned.

8. Completion of the process for certification by the National Board of Professional Teaching Standards. The required documentation shall be written verification from the National Board of Professional Teaching Standards and a statement from the employing district or school verifying the dates and the clock hours earned during the certification process.
- C. An individual holding a Basic or Standard teaching certificate, an administrative certificate, or other professional certificate issued before July 1, 1995, may renew the certificate once before July 1, 2001, based on verification from the employer of continuous full-time employment with an education agency during the entire last valid period of the certification being renewed. If an individual holding a valid Basic or Standard teaching certificate, administrative certificate, or other professional certificate was not employed during the entire last valid period of the certificate being renewed, the certificate may be renewed once before July 1, 2001, upon completion of 90 clock hours of a professional development program.
- D. An individual holding a Basic or Standard teaching certificate, an administrative certificate, or other professional certificate issued or renewed before July 1, 1997, may renew the certificate once before July 1, 2003, upon completion of 90 clock hours of a professional development program.
- E. An individual holding a Basic or Standard teaching certificate, an administrative certificate, or other professional certificate issued or renewed after June 30, 1997, and an individual holding a Temporary certificate, may renew or convert the certificate upon completion of 180 clock hours of a professional development program.
- F. An individual who is employed by a school or school district at the time of renewal shall submit the required documentation of a professional development program to the district superintendent, director of personnel, or other designated administrator for verification. A certified individual who is not employed by a school or school district at the time of renewal shall submit the required documentation of a professional development program to a county school superintendent, the dean of a college of education, or the Department for verification. The school or district official, county school superintendent, or the dean of a college of education shall verify on forms provided by the Department the number of hours of a professional development program completed by the individual during the valid period of the certificate being renewed.
- G. The Department shall issue a Standard teaching certificate when renewing a Basic or Temporary teaching certificate of the same type.
- H. A provisional vocational certificate shall be renewed for 2 years upon completion of 9 semester hours of courses required for the standard vocational certificate in the same vocational area, completed since the most recent issuance or renewal of the provisional certificate.

ARTICLE 8. COMPLIANCE

R7-2-810. Procedures for the Participation of Children Instructed at Home in Interscholastic Activities

- A. Definitions. The following definitions shall apply when used in this rule:

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1. "Children instructed at home" means children who are not enrolled full time in a public or private educational institution and whose parent or guardian has an Affidavit of Intent to Home School on file with the County School Superintendent.
 2. "Interscholastic activities" are all activities involving more than 1 school which are of a competitive nature and which are coordinated through and governed by an interscholastic organization or association.
 3. "Participate" means having been selected to represent a school and taking part in an interscholastic activity as a member of a team, squad or group which has been organized for the purpose of interscholastic contests.
- B.** An opportunity to demonstrate skill and proficiency in an interscholastic activity shall be afforded to children instructed at home in a manner consistent with that established for students enrolled in the school.
- C.** Eligibility.
1. If a child instructed at home reaches the age of 15 on or before September 1 of the school year, the student shall not be eligible to participate at the 7th and 8th grade levels.
 2. If a child instructed at home reaches the age of 19 on or before September 1 of the school year, the child instructed at home shall not be eligible to participate at the 9th through 12th grade levels.
 3. A child instructed at home shall be required to earn a passing grade in each course or subject in which the child instructed at home is instructed and maintain satisfactory progress toward advancement, promotion or graduation.
- D.** Ineligibility.
1. When it is determined that a child instructed at home has failed to meet the requirements specified for eligibility, the child instructed at home shall be declared ineligible to participate and shall remain ineligible until the requirements of eligibility are met.
 2. If a child instructed at home has been enrolled in a public school on a full-time basis, the child instructed at home shall not be eligible to participate in interscholastic activities until an Affidavit of Intent to Home School has been filed with the County School Superintendent and 30 days have elapsed since the filing of the affidavit.
 3. A child instructed at home who was previously enrolled in a school shall be ineligible to participate in interscholastic activities on behalf of a different school for the remainder of the school year during which the child instructed at home was enrolled in a school.
- E.** At least every 9 weeks, or more frequently as determined by the school, and consistent with the policies established for students enrolled in the school, the individual providing the primary instruction of a child instructed at home shall submit a notarized affidavit which provides:
1. That the affidavit is being submitted under penalty of perjury;
 2. Whether the child instructed at home is receiving a passing grade in each course or subject being taught;
 3. Whether the child instructed at home is maintaining satisfactory progress towards advancement or promotion.
- F.** School policies related to transportation, insurance, physical condition, fees, uniforms, practice requirements and event schedules shall be consistent with policies established for students enrolled in the school and shall be available to children instructed at home, their parents and guardians upon request.

- G.** A child instructed at home shall register and pay fees established by the school for participation in interscholastic activities and meet all qualifications, responsibilities and standards of behavior and performance, including those related to demonstration of skill and proficiency, practice requirements, physical prerequisites and acceptance onto the team, squad or group. Registration, fees, qualifications, responsibilities and standards of behavior and performance for children instructed at home shall be consistent with the fees, qualifications, responsibilities and standards of behavior and performance established for students enrolled in the school.

ARTICLE 10. SCHOOL DISTRICT PROCUREMENT RULES

R7-2-1002. Applicability

- A.** This Article applies to every expenditure of public monies, including federal assistance monies, by a school district as specified in A.R.S. § 15-213(A) for the procurement of all construction, materials and services which exceed \$20,000 in total cost, including federal assistance monies, when the total procurement cost exceeds the maximum amount specified in A.R.S. § 15-213(A)(1), as adjusted by the State Board of Education by April 1 of each year, in accordance with A.R.S. § 15-213(F), except that if procurement involves the expenditure of federal assistance or contract monies, the school district shall comply with federal law and authorized regulations which are mandatorily applicable and which are not presently reflected in this Article. This Article does not apply to agreements pursuant to A.R.S. § 15-789 or grants or contracts between governing boards, except as provided in R7-2-1191 through R7-2-1195. This Article also applies to the disposal of school district materials regardless of value. Nothing in this Article shall prevent any governing board from complying with the terms and conditions of any grant, gift, bequest or cooperative agreement. (A.R.S. § 15-271(C)(3) requires the Auditor General in the Uniform System of Financial Records to prescribe guidelines applicable to procurement practices for use by school districts for amounts less than those prescribed in A.R.S. § 15-213(A) and (F), as described in this Subsection.)
- B.** No Change
- C.** No Change
- D.** No Change
- E.** No Change

R7-2-1033. Simplified School Construction Procurement Program

- A.** The Simplified School Construction Procurement Program is applicable to construction projects which do not exceed the maximum amount specified in A.R.S. § 15-213(A)(2).
- B.** To participate in the Simplified School Construction Procurement Program:
1. Each county school superintendent must maintain a list of persons who desire to receive solicitations to bid on construction projects within the county, and additions to the list shall be permitted throughout the year;
 2. The list of persons developed pursuant to subparagraph (B)(1) above shall be available for public inspection;
 3. A performance bond and a payment bond, as required by A.R.S. § 34-222, shall be provided for contracts for construction by contractors;
 4. All bids for construction shall be opened at a public opening and the bids shall remain confidential until the public opening;

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5. All persons desiring to submit bids shall be treated equitably and the information related to each project shall be available to all eligible persons; and
6. Competition for construction projects under the Simplified School Construction Procurement Program shall be encouraged to the maximum extent possible. School districts shall submit information on each project to all persons listed with the county school superintendent by any school district within that county.

ARTICLE 13. CONDUCT

R7-2-1301. Definitions

In this Article, unless the context otherwise specifies:

1. "Applicant" means a person who has submitted an application to the Department requesting an evaluation of the requirements set forth in R7-2-601 et seq., requesting issuance of a certificate pursuant to R7-2-601 et seq., or requesting renewal of a previously held certificate issued pursuant to R7-2-601 et seq.
2. "Board" means the State Board of Education.
3. "Certificated individual" means an individual who holds an Arizona certificate issued pursuant to R7-2-601 et seq.
4. "Complaining party" means an individual, partnership, corporation, association, governmental subdivision or unit of a governmental subdivision, a public or private organization of any character or other agency who completes a statement of complaint alleging immoral or unprofessional conduct against a certificated individual.
5. "Charge" means the filing of allegations by the Board against a certificated individual alleging immoral or unprofessional conduct.
6. "Department" means the Department of Education.
7. "Hearing" means an adjudicative proceeding held pursuant to Title 41, Chapter 6 and, R7-2-701 et seq.
8. "PPAC" means the Professional Practices Advisory Committee established pursuant to R7-2-205.
9. "Respondent" means a certificated individual who is charged with committing an immoral or unprofessional act.

R7-2-1302. Statement of Complaint

- A. Any person may file, with the Board, a statement of complaint against a certificated individual on forms provided by the Board.
- B. A statement of complaint shall state the facts under which the complaining party is alleging immoral or unprofessional conduct and shall be signed and notarized.
- C. The facts in a statement of complaint shall clearly state the details of the alleged immoral or unprofessional conduct.
- D. A statement of complaint shall contain the names, addresses and telephone numbers of individuals who can be contacted to provide information regarding the allegations contained in the statement of complaint. The list of individuals shall also include a brief summary of the substance and extent of each individual's knowledge regarding the allegations contained in the statement of complaint.
- E. The complaining party may attach written or other evidence to a statement of complaint at the time that the statement is filed with the Department.
- F. A statement of complaint filed by a school district shall be accompanied by a certified copy of a school board resolution authorizing the statement of complaint to be filed.
- G. A statement of complaint may be returned to the complaining party if the statement is not complete or not legible.

R7-2-1303. Notification of Complaint; Investigation

- A. Within 20 days after the filing of a statement of complaint, the Board shall notify the certificated individual that a statement of complaint has been filed and the Board shall provide the certificated individual with a copy of said statement of complaint. Such notice shall be delivered personally or by certified mail to the last known address.
- B. The certificated individual shall have 15 days from receipt of notification by the Board to respond to the statement of complaint. The certificated individual's response to the complaint shall be filed with the Board.
- C. An investigation of all statements of complaint filed pursuant to this Article shall be conducted.

R7-2-1304. Charge

- A. Upon completion of an investigation resulting from a statement of complaint, the Board may file a charge.
- B. A hearing shall be held on a charge before the PPAC.

R7-2-1305. Conviction of Criminal Offenses; Investigation

- A. Applicants shall certify on forms that are provided by the Department whether they are awaiting trial on, or have ever been convicted of, or have admitted in open court or pursuant to a plea agreement committing any offense listed in A.R.S. § 15-534. Applicants for certification shall not be required to disclose information regarding misdemeanor offenses other than those listed in A.R.S. § 15-534.
- B. Upon receipt of notification that an applicant or certificated individual has been convicted of or admitted in open court or pursuant to a plea agreement committing any criminal offense specified in A.R.S. § 15-534, the Board shall initiate an investigation.
- C. Applicants and certificated individuals who are alleged to have been convicted of a criminal offense specified in A.R.S. § 15-534 shall provide the Board with copies of court records or reports pertaining to the conviction.

R7-2-1306. Reviewable Offenses

- A. Reviewable offenses are those offenses listed in A.R.S. § 15-534 which are not included in R7-2-1307.
- B. Upon completion of an investigation, the Board may file a charge against a certificated individual or may issue or deny certification to an applicant.

R7-2-1307. Criminal Offenses; Nonreviewable

- A. The Board shall revoke, not issue, or not renew the certification of a person who has been convicted of or admitted in open court or pursuant to a plea agreement committing any of the following criminal offenses in this state or similar offenses in another jurisdiction:
 1. Sexual abuse of a minor;
 2. Incest;
 3. First-degree murder;
 4. Sexual assault;
 5. Sexual exploitation of a minor;
 6. Commercial sexual exploitation of a minor;
 7. A dangerous crime against children as defined in A.R.S. § 13-604.01;
 8. Armed robbery;
 9. Sexual conduct with a minor;
 10. Molestation of a child;
 11. Exploitation of minors involving drug offenses.
- B. Upon notification that a certificated individual has been convicted of a nonreviewable offense, the Board shall revoke the certificate.

NOTICE OF FINAL RULEMAKING

TITLE 12. NATURAL RESOURCES

CHAPTER 4. GAME AND FISH COMMISSION

PREAMBLE

1. Sections Affected Rulemaking Action
R12-4-309 Amend
2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):
Authorizing statute: A.R.S. § 17-231(A)(1).
Implementing statute: A.R.S. § 17-102.
3. The effective date of the rules:
January 1, 1999.
4. A list of all previous notices appearing in the Register addressing the final rule:
Notice of Rulemaking Docket Opening: 3 A.A.R. 869, March 28, 1997.
Notice of Proposed Rulemaking: 4 A.A.R. 77, January 9, 1998.
Notice of Supplemental Proposed Rulemaking: 4 A.A.R. 1102, May 15, 1998.
The date the record was closed: September 19, 1998.
5. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:
Name: Susan L. Alandar, Administrative Services Manager
Address: Arizona Game and Fish Department DOAS
2221 West Greenway Road
Phoenix, Arizona 85023
Telephone: (602) 789-3289
Fax: (602) 789-3299
6. An explanation of the rule, including the agency's reasons for initiating the rule:

The rule was originally promulgated to further deter hunters from participating in the unlawful practice of "buddy hunting." Buddy hunting is where 1 hunter shoots an animal for another hunter and the shooter is usually not permitted to hunt for the animal killed. Such actions increase the total harvest of the resource. The number of permits made available is based upon total desired harvest and the expected factor for the percentage of successful hunters. When the success ratio goes up, the number of available permits must go down. That reduction in permit numbers has 3 affects: it takes away hunting opportunity for legal hunters, reduces Department revenue, and reduces indirect revenue from hunting to the Arizona economy.

The tendency to "buddy hunt" seems to increase among otherwise law abiding hunters in situations where the animal being hunted occurs in large concentrations and high permit numbers are offered for any animal or antlerless animals (javelina and elk). Elk hunters are further motivated to take extra steps to go home with a filled elk tag because elk is a difficult hunting permit to acquire through the big game permit-tag draw system and once drawn the opportunity to shoot an elk is high, with fire-arms hunter success for elk exceeding 55%. The rule also offers a higher quality hunting experience for those obtaining elk and javelina hunting permits by disallowing other rifle, muzzle loader or archery hunters from being in the field at the time of these hunts. Archery hunters in particular, but also early season bull elk hunters, value having the hunting field restricted by the rule.

The 1996 review of this rule resulted in the decision to explore exempting some management units from the rule during elk hunts to increase hunting opportunity for other hunters when this can be done without decreasing value for elk hunters. The changes acknowledge that the rule is needed in most management units where elk herds are large and/or dispersed through most of the management unit.

Conversely, the rule is not needed where elk have expanded at low densities into game management units in Arizona and elk populations are very small and/or occur in small geographic areas. The lack of need is because the combination of high numbers of elk and elk hunters in the same place does not occur. Also, for units like 16A and 21, the allocation of elk permits is very small and the size of area where elk occur is also very small, making it easy for enforcement officers to monitor hunter compliance with existing regulations against "buddy hunting."

Elk hunts have been established in some of the units excluded from the rule with the intent to severely reduce or eliminate the elk population (12A, 12B, 16A south, and 44A). In other cases very few elk permits are offered to hunt small elk populations occurring in small geographic areas within the units (16A north and 21). Lastly there are units with high elk populations in part of the units but low density to no elk or elk hunters in other parts. These are excluded from the rule (22 south, 23 south and 27 south).

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Restructuring the rule to list the units affected excludes any units that may be opened for the 1st time to elk hunting in the future. The list of units included in the rule for elk hunts are all located in north central Arizona in Yavapai, northern Gila, southeastern Mohave, Coconino, Apache, Navajo and northern Greenlee counties. Elk are numerous in these units or the elk herds are widely dispersed through much of the unit.

Excluding units or portions of units from the rule reduces the impact of restricting other hunting in these units during scheduled elk hunts, when the number of hunters afield in pursuit of other wildlife far exceeds the number of permitted elk hunters and the likelihood of hunters encountering elk in large herds is low. For instance, the North Kaibab (12A) located on the north rim of the Grand Canyon is a very popular archery deer unit. More than 2,500 hunters archery hunt deer in this unit every year. Were R12-4-309 in effect the scheduling of an elk hunt with 25-50 permits during the archery deer hunt would disallow hundreds of archery deer hunters from hunting in that unit.

7. **A reference to any study that the agency proposes to rely on in its evaluation of or justification for the final rule and where the public may obtain or review the study, all data underlying the study, any analysis of the study and other supporting material:**

AGFD Buddy Hunting Study, prepared for the Arizona Game and Fish Department, by Behavior Research Center, Inc., 1101 North First Street, Phoenix, Arizona 85004. The study may be reviewed by contacting the following person at the following location:

Name: Susan L. Alandar, Administrative Services Manager

Address: Arizona Game and Fish Department DOAS
2221 West Greenway Road
Phoenix, Arizona 85023

Telephone: (602) 789-3289

Fax: (602) 789-3299

8. **A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable.

9. **The summary of the economic, small business, and consumer impact:**

The rule change extends hunting opportunity in some areas to persons other than elk hunters. The impact is not expected to be great but potential benefits outweigh potential negative impact.

10. **A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):**

Subsection (D) now specifies the effective date of the rule as January 1, 1999. The delayed effective date will ensure coordinated implementation of the rule and its publication in the 1999 *Arizona Hunting Regulations*.

Due to public comment and a "petition for rule" received during this rulemaking process, the Commission filed a Notice of Supplemental Rulemaking proposing to remove rule language in subsection (A)(1) as contained in the Notice of Proposed Rulemaking. The language removed references to units 17A, 17B, 18A, 18B, 19A, and 19B. No change was made from the rule language published in the supplemental notice.

11. **A summary of the principal comments and the agency response to them:**

1. **Argument.** I wish to continue hunting small game and waterfowl during elk and javelina seasons.

Evaluation. Changes to this rule will not change the ability to hunt small game and waterfowl during elk and javelina seasons. Allowable methods of take are listed in the rule and there is no change.

2. **Argument.** I would like to see antelope and fall turkey seasons added to the restricted hunt rule. I have had bear or lion hunters running their dogs and breaking through my stand 2 or 3 times in the last 15 years.

Evaluation. The intent of the rule is to prevent buddy hunting, where 1 hunter shoots game for another. Because of the low permit numbers for antelope, it is not necessary to apply the restrictions of this rule in order to accomplish necessary law enforcement during antelope seasons. The argument comes from the perspective of another side effect objective created by the rule, which is to have a hunt time exclusive to your hunt time. The Department attempts to address that desire by separating big game hunting dates from one another. Expanding the rule for the express purpose of limiting other hunting activities is not the intent of this rulemaking proposal. In fact, by listing elk units and not including all of the units to which the rule currently applies, the opposite was the intent.

3. **Argument.** When R12-4-309 was established there were very limited seasons, which were easy to find the closed dates on; in fact, it was common knowledge when the general elk season was going on. Now there are so many stratified hunts that on public lands where elk occur there is limited opportunity for sportsmen to successfully harvest predators and other nongame wildlife. The time limit is critical to access these areas as Forest Service road closures and deep snowdrifts severely limit the available time for access. An additional exception should be added to subsection (C)(3) which would allow use of centerfire rifles, .22 caliber or smaller (which are typically used for small game or predators). This exemption should apply during general elk season, muzzleloader elk season, and general javelina seasons.

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Evaluation. There are .22 caliber centerfire rifles that are effective for taking elk, and they would certainly be the weapon of choice for taking javelina. There are many known cases where elk have been killed in this manner. Further, technological improvements in .22 caliber projectiles have improved their effectiveness. Allowing the use of .22 caliber centerfire rifles would weaken the ability for the rule to meet its objective.

4. Argument. Antlerless elk seasons are becoming so long in Unit 10 (4 weekends) and added to the general bull elk and archery elk seasons, leaves little time to hunt predators (7 weekends total).

Evaluation. The season structures for elk hunts in all units has increased the number of days when the rule is in effect. Unit 10 is typical of most major elk units in the number of opening weekends for elk hunts as the elk population grows in this unit.

5. Argument. Restricting hunts limits the hunting opportunities for other species when you're not lucky enough to get drawn (particularly units 10, 18A, 9 and 7). During restricted hunts, lawful weapons are short range and Unit 10 has wide-open country that makes predator hunting difficult.

Evaluation. All of the named units have significant populations of elk, particularly Unit 7. Units 9 and 10 are producing trophy quality bull elk, increasing temptations for buddy hunting and increasing the need for the rule in these units, particularly for the bull elk hunts. The argument is valid for anyone wishing to hunt near home when home is in an elk unit affected by this rule. The need to restrict these hunts to other forms of hunting is felt to exceed the need to maximize hunting opportunity at the same time and place. Hunters can still travel to units that are not affected by the rule to hunt other wildlife.

6. Argument. Does the rule actually stop or prevent the violation of "buddy hunting"?

Evaluation. The rule removes an option for a potential violator. When asked by a wildlife officer why they are in the field with a rifle they cannot say "lion hunting". The rule also provides probable cause for a wildlife officer to approach someone carrying a rifle to determine if they are, in fact, a properly licensed elk or javelina hunter and cite them if they are not. Without the rule the wildlife officer would have to wait for the "buddy hunter" to actually shoot an animal for someone else.

7. Argument. It is already against the law to take an elk or javelina without permit (reference "buddy-hunting"); R12-4-309 over-regulates hunters regarding acts that are already legal. You cannot legislate morality.

Evaluation. The rule assists wildlife officers in enforcing other laws that prohibit taking an animal for another or taking an animal without a permit. The rule also removes the temptation to be afield with a rifle and succumb to the urge to help out a friend on their hunt. Because elk are large bodied herding animals and hunters often take many "helpers" and javelina are small herding animals, both species seem to offer the temptation to buddy hunt more than the other big game species.

8. Argument. In general, elk hunts are becoming so numerous and lengthy that hunter opportunity is becoming too limited for hunting other species because of restricted hunts.

Evaluation. With increased efforts to manage elk populations, the seasons have become longer and more numerous and the argument is indeed correct that the rule is having increased impact on hunting opportunity. This rule proposal is an attempt to alleviate some of that.

9. Argument. We request that each unit area have the closed dates listed in the (Department's annually published) hunt regulations. It requires a lot of crosschecking now just to find current seasons. A check of last year's general elk hunts show 64 different hunts. This is a total of 107 elk hunts with numerous different hunt dates.

Evaluation. The suggestion is to create a table of all units affected by the rule cross-indexed to dates when rule R12-4-309 is in effect. The suggestion would duplicate the information available in the Commission Orders for elk and General javelina already in the hunting regulations. All elk hunts were published on 2 facing pages in the current regulations, making a cross checking of dates a fairly easy thing to do if you know in what unit you wish to hunt other wildlife.

10. Argument. Hunts like Walapai Mountain Elk, Alamo, possibly Prescott Mountains or maybe Skull Valley, which have limited animals in specific areas, should not deny other hunting opportunities within these areas.

Evaluation. They do not. These hunt units are specifically recommended for exclusion from the rule.

11. Argument. We do not want any more restrictions imposed on quail hunting, blue grouse hunting, or any hunting in Unit 27.

Evaluation. The rule change does not impose any more or any new restrictions on any of these hunts or on Unit 27.

12. Argument. I am concerned that when I want to go quail hunting during the general javelina hunt I cannot go hunting with a shotgun.

Evaluation. Quail hunting with a shotgun shooting shot is currently permissible, and will continue to be permissible, during general javelina seasons.

13. Argument. This rule is an affront to sportsmen and treats all hunters as if they are all violators and cannot be trusted. It is similar to the idea that banning firearms would keep guns away from criminals.

Evaluation. A recently conducted responsive management survey (July 1997), indicates that sportsmen favor retention of the rule. According to this survey 83% of hunters surveyed are aware of the rule. The survey also indicated that 28% of the hunt-

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ers surveyed had personal knowledge that buddy hunting occurs in Arizona. The survey indicates that 53% of the hunters surveyed support the rule, while 35% of the hunters oppose it. The highest level of support for the rule is found among hunters with personal knowledge of buddy hunting (64%), residents under 35 years of age (59%), and long time Arizona hunters (56%). Older hunters are evenly divided in their opinion of the rule where 39% support it and 39% oppose it.

When asked their opinion on whether the effect of the rule should be expanded to cover a greater number of elk hunts, 41% of the hunters surveyed expressed favor in expanding the effects of the rule .28% were in favor of reducing the number of units affected by the rule. Interestingly, the hunter group which reveals the greatest preference for expanding the number of units covered is the same group which indicates the most opposition to the regulation -- firearms elk hunters. An explanation for this apparent anomaly may be that while large numbers of elk hunters may be opposed to the general concept of the rule, they value it as a means to protect their future elk hunting opportunities.

Regarding the affront to all sportsmen, such logic applied to other criminal statutes (for example, arson, assault, burglary) would construe these statutes are offensive to the general citizenry. They imply that people cannot be trusted to not engage in criminal behavior. Criminal statutes are intended to protect the rights of the general citizenry and are not intended as a statement of distrust of all people.

14. Argument. This rule does no good. It only affects the honest hunters. No one gets arrested for buddy hunting. How many buddy hunters were arrested in the last 5 years? The rule should be repealed. All hunters should need to be in the field is their license and tag.

Evaluation. It is not true that no one ever gets arrested for "buddy hunting." They are. But what they are charged with is not called "buddy hunting," because "buddy-hunting" is not an offense, which, by law may be brought to the Commission for further action. Rather, a violator is charged with the more specific applicable statute, for the offense committed while buddy hunting. Examples of such charges include: taking wildlife without a permit/tag; taking wildlife in a closed area; failure to tag; possessing unlawfully taken wildlife; taking wildlife in excess of the bag/possession limit; or knowingly allowing another to use their tag.

Direct violations of R12-4-309 are tracked as "being in possession of or using a rifled firearm" during general elk or javelina seasons. These violations are as follows:

Year	# of General Elk Permits Issued	# of Citations Issued	Year	# of Javelina permits issued	# of Citations Issued
1993	11,579	3	1993	13,927	0
1994	14,758	7	1994	14,038	2
1995	14,991	6	1995	13,522	1
1996	14,404	2	1996	13,504	0
1997	11,883	1	1997	13,878	0

It is our belief that the rule itself provides a deterrent to buddy hunting. The relative few number of citations issued for violation of R12-4-309 is a statement regarding the deterrent value of the rule. As stated in the evaluation of Argument 13, 83% of the hunters surveyed are aware of the rule. This high level of awareness supports the notion that the rule provides an effective deterrent. The conclusion that the rule has no value, as evidenced by the relatively low number of citations, is erroneous. The relative low number of citations regarding this rule may actually be evidence that it is of value. Another analogy B if a municipality decided that the few number of speeding tickets written by their police force was reason to eliminate speed limits, they would likely find the average speed on their streets to increase. Regarding the argument that all that hunters should need to be in the field is their license and their tag does not address the intent of the rule. Hunters engaged in buddy hunting do not have the required tag.

15. Argument. You cannot rely on the survey of hunters that the Department did about this rule because the Department structures the questions to get the answers that it wants.

Evaluation. The public survey was constructed and conducted by Behavior Research Center Inc. This company is a private sector firm in the business of designing and conducting public opinion research. They are trained in techniques to avoid biased responses. The Department purposely uses "experts" such as these to ensure credibility of the results, and avoid the perception of steering respondents to a predetermined conclusion.

16. Argument. The rule does not give the Department flexibility in scheduling hunts.

Evaluation. The argument is valid. The rule does constrain the scheduling of hunts. This is 1 of the reasons the Department proposed revising the rule so that new elk hunt units would not necessarily be affected by the rule. However, the rule has not become so confining as to prevent the Department from meeting its management objectives.

17. Argument. You should survey your law enforcement officers to determine if the rule is still necessary.

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Evaluation. We did. As part of the review of this rule conducted in order to decide what changes the Department would propose to the Commission, we conducted an internal survey addressing several different options for changing R12-4-309. This internal survey was completed in July 1997, and a summary of the results is attached. The results indicate that in general, officers believe the rule is necessary. Questions 6 and 7 are particularly pertinent. When asked if the rule should remain unchanged (or if little or few exceptions should be allowed), 58% were in favor, while 35% disagreed. When asked if they believed the rule should be repealed statewide, 33% of the officers agreed, while 64% opposed repealing it.

18. Argument. I used the data in the hunt regulations to determine that few elk hunters were in units 16A, 44A, 12A, 12B, 17B, 18B, and 19B. There are other sportsmen who would like to use these areas.

Evaluation. The rule change as proposed will exempt all of these units from the constraints of R12-4-309.

19. Argument. I don't think that 22-centerfire or other small caliber firearms should be used to take elk. If these were outlawed for use on elk, then this rule would not be necessary.

Evaluation. Please refer to #3 above. Even though .22 or smaller caliber centerfire rifles are not the general weapon of choice for elk hunters, there are many known cases where elk have been effectively taken with these smaller caliber weapons. Based on past rule reviews it has been the continued desire by the hunting public that these centerfire calibers remain legal for use for big game and any proposed changes would have to be reviewed under a rule review process for R12-4-304.

As for the assumption that simply making these calibers unlawful would negate the need for R12-4-309. This is not the case, as buddy hunting is not regulated by caliber of weapon. In fact in most situations where a person is found in violation of R12-4-309, that person is generally in possession of a more effective larger caliber centerfire rifle.

20. Argument. Is there really a problem with buddy hunting offenses? The numbers of arrests don't seem to indicate there is a problem. The rule prohibits something that is already law. Why should we be so constrained? According to your survey, 2 out of 10 hunters didn't even know the rule existed. Buddy hunting is not a major problem.

Evaluation. Refer to evaluation for #14 above.

21. Argument. This rule is beneficial to law enforcement, which is positive. However, hunters do like to go out together to camp and enjoy the outdoors. It appears that this rule ruins the spirit of the hunt, because the people who go along with the elk hunter can't hunt other wildlife.

Evaluation. This is not the case. Persons with the elk or javelina hunter may hunt other wildlife as long they have a valid license/permit-tag, there is an open season, and their chosen method of take is exempted in R12-4-309 and is legal for the particular wildlife that they are hunting.

22. Argument. A citizen of the United States has the right to be anywhere they wish with any weapon they wish to use. This rule is not constitutional.

Evaluation. This statement in the argument is not true. Regulation of weapons is permissible under the police powers of a state and does not violate the U.S. Constitution. This rule does not impinge upon a person's right to bear arms; it simply restricts the person's ability to take wildlife. The Department must still prove that a person is hunting in order to prove violation of R12-4-309.

23. Argument. Honest hunters can get together and cooperate with programs like Operation Game Thief and help get rid of the guys who are violating the law, instead of having a rule that affects the honest hunters.

Evaluation. We do expect and advocate "self-policing" by honest hunters through programs such as Operation Game Thief. Unfortunately, most "buddy hunting" is not readily apparent and is generally reported after the fact when the wildlife resource has already been lost. R12-4-309 allows for a preemptive barrier to "buddy hunting" with the intent of preventing the loss of the wildlife resource. However, 1 of the best defenses against wildlife crimes is peer pressure. Hunters should continue to discourage "buddy hunting."

24. Argument. There are not enough enforcement officers to stop buddy hunting without this rule. I have spoken to a lot of people who support this rule. People who go along with an elk hunter can plan around the rule. They can even take a camera and photograph a lawful take.

Evaluation. The Department fully supports this argument and continues to manage our wildlife resource allowing for the most utilization (consumptive and non-consumptive) opportunity possible.

25. Argument. This rule is necessary to reduce hunter conflict in traditional elk units. I support the petition to not have the rule apply in less-busy units.

Evaluation. The reduction of hunter conflict is only a side benefit of the rule. However, this continues to be a very popular benefit for the higher permitted elk hunts.

26. Argument. The Department's own internal survey showed that even 34% of its own officers agreed that this rule should be repealed entirely.

Evaluation. Refer to #17 above. To the contrary, 64% of our officers were opposed to repealing the rule and 58% were in favor of the rule in its current form. With the proposed changes (which have received internal as well as external review) these support

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ratings would be expected to be even higher. In addition, based on a recent informal poll, there is overwhelming support for the rule among the Department's officers who are assigned to elk units.

27. Argument. As a possible solution to the problem of hunters without an elk tag being in the units with a weapon legal to take elk, why not specify that the legal weapon for taking elk has to be .24 caliber or greater?

Evaluation. The suggestion would require an amendment to R12-4-304, which establishes the legal methods of take. In the past, there were minimum restrictions on "caliber" allowable for use. Those restrictions created enormous debate and disagreement among hunters, and the Commission chose to remove such restrictions and rely on education and hunters' judgement.

12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable.

13. Incorporations by reference and their location in the rules:

None.

14. Was this rule previously adopted as an emergency rule?

No.

15. The full text of the rules follows:

TITLE 12. NATURAL RESOURCES

CHAPTER 4. GAME AND FISH COMMISSION

ARTICLE 3. TAKING AND HANDLING OF WILDLIFE

Section

R12-4-309. Restricted Hunts

ARTICLE 3. TAKING AND HANDLING OF WILDLIFE

R12-4-309. Restricted Hunts

A. With the exceptions listed in subsection (C) of this rule, hunt areas established by Commission order for the following seasons are closed to hunting by all persons not possessing the valid big game tag required for that season:

1. All elk seasons within the following units as described in R12-4-108:

Unit 1.

Unit 2B.

Unit 2C.

Unit 3A.

Unit 3B.

Unit 3C.

Unit 4A.

Unit 4B.

Unit 5A.

Unit 5B.

Unit 6A.

Unit 6B.

Unit 7.

Unit 8.

Unit 9.

Unit 10.

Unit 22, except the portion in the Mazatzal Mountains.

Unit 23, except the portion in the Sierra Ancha Mountains.

Unit 27, except the portion lying south of the line beginning at the New Mexico state line and Blue River, southwesterly along Blue River to its juncture with

Strayhorse and Bear Canyon Trails, southwesterly on Strayhorse and Bear Canyon Trails to Forest Road 217, north on Forest Road 217 to the San Carlos Indian Reservation.

1. General elk season, except in those portions of Unit 22 in the Mazatzal Mountains; Unit 23 in the Sierra Ancha Mountains; and that portion of Unit 27 lying south of the line beginning at the New Mexico state line and Blue River, southwesterly along Blue River to its juncture with Strayhorse and Bear Canyon Trails, southwesterly on Strayhorse and Bear Canyon Trails to Forest Road 217, north on Forest Road 217 to the San Carlos Indian Reservation;

2. All general javelina seasons in all units.

2. Muzzle-loader elk season;

3. Archery-only elk season;

4. General javelina season.

B. No change.

C. No change.

1. No change.

2. No change.

3. No change.

a. No change.

b. No change.

c. No change.

d. No change.

e. No change.

f. No change.

g. No change.

h. No change.

i. No change.

j. No change.

4. This rule is effective January 1, 1999 1997.

NOTICE OF FINAL RULEMAKING

TITLE 20. COMMERCE, BANKING, AND INSURANCE

CHAPTER 6. DEPARTMENT OF INSURANCE

PREAMBLE

1. **Sections Affected**
R20-6-708
Table A
- Rulemaking Action**
New Section
New Section
2. **The specific authority for the rulemaking, including both the authorizing statutes (general) and the statutes the rules are implementing (specific):**
Authorizing statute: A.R.S. §§ 20-142 and 41-1072.
Implementing statutes: A.R.S. §§ 20-142 and 20-143.
3. **The effective date of the rules:**
The rules become effective January 1, 1999. The Department is delaying the effective date so it can begin implementation and tracking on the 1st day of the month.
4. **A list of all previous notices appearing in the Register addressing the final rule:**
Notice of Rulemaking Docket Opening: 3 A.A.R. 2933, October 17, 1997.
Notice of Proposed Rulemaking: 4 A.A.R. 1058, May 8, 1998.
5. **The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
Name: Vista Thompson Brown, Executive Assistant for Policy Affairs
Address: Arizona Department of Insurance
2910 N. 44th Street, Suite 210
Phoenix, Arizona 85018
Telephone: (602) 912-8456
Fax: (602) 912-8452
6. **An explanation of the rule, including the agency's reasons for initiating the rule:**
This rule is necessitated by a change in the Administrative Procedures Act (APA) in the 1996 legislative session. The Legislature enacted A.R.S. § 41-1073 that requires adoption of time-frames during which the agency will grant or deny each type of license it issues.
7. **A reference to any study, as the agency proposes, to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study, and other supporting material:**
None.
8. **A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**
Not applicable.
9. **The summary of the economic, small business and consumer impact:**
 - a. **The Department of Insurance**
The Department will incur copying, distribution and administrative costs with the implementation of the rulemaking process. Additionally, A.R.S. § 41-1077 requires an agency to refund to the applicant all fees charged for reviewing and acting on an application for the license and to waive all fees not yet paid if the agency does not issue to an applicant the written notice granting or denying a license within the overall time-frame or within the time-frame extension. Although this presents the possibility of lost revenue to the Department, the Department does not anticipate failing to issue an applicant the written notice granting or denying a license within the overall time-frame or time-frame extension.
 - b. **Other Public Agencies**
Some public agencies will incur nominal publishing costs associated with copying and publishing the rules. The Office of the Attorney General and the Office of Administrative Hearings may also incur increased litigation costs for larger numbers of hearings involving licensing action.
 - c. **Private Persons and Businesses Directly Affected**
Private persons and businesses will benefit from the Department's license time-frame rules by having clear guidelines concerning the application review process and by receiving timely review of their applications.

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d. Consumers

The Department does not expect the adoption of the license time-frames to adversely impact consumers.

e. Private and Public Employment

The Department does not expect the adoption of the license time-frames to adversely impact private and public employment.

f. State Revenues

The Department does not expect the adoption of the license time-frames to adversely impact state revenues, unless the Department is unable to meet the adopted time-frames. If this occurs, the Department is required to refund application fees and may incur additional penalties depending on how long after the expiration of the license time-frame the Department makes its determination of whether to grant or deny the license.

10. A description of the changes between the proposed rules, including supplemental notices, and final rules:

The final rules more clearly distinguish between the administrative completeness review and the substantive review by creating separate subsections to address each review process. The proposed rules discussed both review processes within the same subsections. Additionally, the final rules implement a notice of inadequate response, which was lacking in the proposed rules. Finally, to respond to public concerns regarding the length of some of the Department's license time-frames, the Department has lowered the administrative, and thus the overall, time-frames by 60 days for the license time-frames that were questioned.

11. A summary of the principal comments and the agency response to them:

The principal comments the Department received expressed concern with the length of the license time-frames for the certificate of authority and the agent license. The Department outlined the complex and lengthy process to review both types of applications. The Department also amply justified the time-frames in light of its regulatory role over the insurance industry and its responsibility to protect the public.

12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

None.

13. Incorporations by reference and their location in the rules:

None.

14. Was this rule previously adopted as an emergency rule?

No.

15. The full text of the rules follows:

TITLE 20. COMMERCE, PROFESSIONS, AND OCCUPATIONS

CHAPTER 6. DEPARTMENT OF INSURANCE

**ARTICLE 7. LICENSING PROVISIONS AND
PROCEDURES**

Section

R20-6-708. Licensing Time-frames

Table A. Licensing Time-frames Table

**ARTICLE 7. LICENSING PROVISIONS AND
PROCEDURES**

R20-6-708. Licensing Time-frames

A. Definitions. The definitions listed below apply in this Section.

- 1. "Administrative completeness review time frame" means the number of days from the Department's receipt of an application for a license until the Department determines that the application contains all components required by statute or rule, including all information required to be submitted by other government agencies. A.R.S. § 41-1072 (1).**
- 2. "License" has the meaning prescribed in A.R.S. § 41-1001(10).**
- 3. "Overall time frame" means the number of days after the Department's receipt of an application for a license during which the Department determines whether to grant or deny a license. The overall time frame consists of both the administrative completeness review time**

frame and the substantive review time frame. A.R.S. § 41-1072 (2).

- 4. "Substantive review time frame" means the number of days after the completion of the administrative completeness review time frame during which the Department determines whether an application or applicant for a license meets all substantive criteria required by state or rule. A.R.S. § 41-1072(3).**

B. The time-frames listed in Table A apply to licenses issued by the Department. The licensing time-frames consist of an administrative completeness review, a substantive review, and an overall review.

C. Within the time-frame for the administrative completeness review set forth in Table A, the Department shall notify the applicant in writing of whether the application is complete or incomplete. If the application is incomplete, the Department shall issue a notice of deficiency to the applicant specifying what information or component is required to make the application administratively complete.

- 1. If the Department determines that an application for a license is not administratively complete, the Department shall include a comprehensive list of the specific deficiencies in the written notice provided under subsection (C). If the Department issues a written notice of deficiency within the administrative completeness review time-frame, the administrative completeness review time-frame and the overall review time-frame are sus-**

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pended from the date the notice is issued until the date that the Department receives the missing information from the applicant.

2. If an applicant does not make some response to each specific deficiency in a notice of deficiency issued during an administrative completeness review, the Department may issue a notice to the applicant within 10 days after receipt of the applicant's response, stating that the response is inadequate. The notice of inadequate response shall identify each specified deficiency to which the applicant did not make some response.

- a. If the Department issues a notice of inadequate response under this subsection, the suspension of the administrative completeness review time-frame and the overall time-frame is not terminated.

- b. If the Department does not issue a notice of inadequate response under this subsection, the Department is not precluded from issuing additional notices of deficiency during an administrative completeness review.

3. If an applicant does not make some response to each specified deficiency in a notice of deficiency issued under subsection (C)(2) within 60 days after the date of a notice of deficiency or within 60 days after a notice of inadequate response issued under subsection (C)(2), the application is deemed withdrawn, and the Department is not required to take further action with respect to the application.

D. Within the time-frame for the substantive review set forth in Table A, the Department may issue 1 comprehensive written request for additional information to the applicant specifying each component or item of information required.

1. If the Department issues a comprehensive written request for additional information within the substantive review time-frame, the substantive review time-frame and the overall time-frame are suspended from the date the written request is issued until the date that the Department receives the additional information from the applicant.

2. If an applicant does not make some response to each component or item of information requested in a comprehensive written request for additional information, the Department may issue a notice to the applicant within 10 days after receipt of the applicant's response stating that the response is inadequate. The notice of inadequate response shall identify each component or item of information required, to which the applicant did make some response.

- a. If the Department issues a notice of inadequate response under this subsection, the suspension of the substantive review time-frame and overall time-frame is not terminated.

- b. If the Department does not issue a notice of inadequate response under this subsection, the Department is not precluded from later issuing supplemental requests by mutual agreement for additional information, during the substantive review.

3. If an applicant does not make some response to each component or item of information required in a comprehensive written request or a supplemental request for additional information, within 60 days after the date of a comprehensive written request or within 60 days after the date of the supplemental request, the application is deemed withdrawn, and the Department is not required to take further action with respect to the application.

E. Within the overall time-frames set forth in Table A, unless extended by mutual agreement under A.R.S. § 41-1075, the Department shall notify the applicant in writing that the application is granted or denied. If the application is denied, the Department shall provide written justification for the denial and a written explanation of the applicant's right to a hearing or the applicant's right to appeal.

F. In computing the time periods prescribed in these time-frame rules, the last day of a notice period is included in the computation, unless it is a Saturday, Sunday, or legal holiday.

G. This rule applies to applications filed on or after January 1, 1999.

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Table A: Licensing Time-frames Table

<u>License</u>	<u>Relevant</u>	<u>Administrative</u>	<u>Substantive</u>	<u>Overall</u>
	<u>A.R.S.</u>	<u>Completeness</u>	<u>Review</u>	<u>Time-frame</u>
Certificate of Authority*	20-216	210	90	300
Certificate of Exemption	20-401.05	92	30	122
Reinsurance Intermediary	20-486.01	120	60	180
Hospital, Medical, Dental, and Optometric Service Corporation	20-825	210	90	300
Prepaid Dental Plan Organization	20-1004	210	90	300
Life Care Provider Permit*	20-1803	60	30	90
Health Care Services Organization	20-1052	210	90	300
Mechanical Reimbursement Reinsurer	20-1096.04	210	90	300
Prepaid Legal Insurer*	20-1097.02	45	15	60
Service Representative	20-285	120	60	180
Managing General Agent-Firm	20-284	120	60	180
Managing General Agent-Individual	20-288	120	60	180
Risk Management Consultant	20-289	120	60	180
Agent, Broker and Solicitor	20-291	120	60	180
Nonresident Agent and Broker	20-303	120	60	180
Vending Machine	20-306	120	60	180
Limited Travel Agent	20-306.01	120	60	180
Adjuster	20-312	120	60	180
Bail Bond Agent	20-319	120	60	180
Surplus Lines Broker	20-411	120	60	180
Title Insurance Agent	20-1580	120	60	180
Credit Life and Disability Agents	20-1612	120	60	180
Variable Contract Agent	20-2662	120	60	180
Utilization Review Agent	20-2505	30	90	120
Rating Organization*	20-361	30	30	60
Rate Service Organization	20-389	60	60	120
Qualifying Surplus Lines Insurer	20-413	45	30	75
Third Party Administrator	20-485.12	45	45	90
Service Companies	20-1095.01	30	30	60
Risk Retention Group (Foreign)*	20-2403	60	0	60
Risk Purchasing Groups	20-2407	30	30	60

*Statutory time-frames